COBBETT'S WEEKLY POLITICAL REGISTER.

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Ye friends to truth, ye statesmen, who survey
The rich man's joys increase, the poor's decay,
'Tis yours to judge how wide the limits stand
Between a splendid and a happy land.
Proud swells the tide with loads of freighted ore,
And shouting folly hails them from her shore.
Yet count our gains. This wealth is but a name,
That leaves our useful products still the same.
Not so the loss. The man of wealth and pride
Takes up a space that many poor supply'd;
The robe that wraps his limbs in silken sloth,
Has robb'd the neighb'ring fields of half their growth;
Around the world each needful product flies,
For all the luxuries the world supplies:
While thus the land, adorn'd for pleasure all,
In barren splendour feebly waits the fall. GOLDSMITH.



## LETTER V.

### TO THE RT. HON. WILLIAM PITT,

### ON THE CAUSES OF THE DECLINE OF GREAT BRITAIN.

### DIGRESSION.

Corn-Bill.—Enclosures.—The Poor.

SIR,——Amongst many disadvantages of conducting a discussion in Letters separated from each other, as to their time of appearance, there is one peculiar advantage, namely, the occasional opportunity, afforded the writer, of digressing into those parts of his subject, which derive additional interest from the circumstances of the day; an advantage of which I am now about to endeavour to avail myself.

After having, in the foregoing letter, signified my intention to show, that the primary cause of our national decline, and the consequent superiority of our enemy, was to be sought for in *your* Paper-Money system, I was proceeding first to describe the nature of that system, and then to trace it to its several consequences. But, the dearth of bread and the other necessaries of life having unhappily become a topic of much greater public interest than any other, this appears to be a favourable time to obtain a patient hearing upon those all important subjects, the Corn-Bill, New Enclosures, and The Poor.

If I meant to confine my observations to the corn-bill now in existence, I should think it necessary to dwell upon the particular circumstances under which that bill was passed; but, as such is not my intention, I shall, for the present at least, leave those circumstances aside, and enter at once upon the principle, on which, according to the report of the Committee of the House of Commons, and also according to your speech thereon, the bill was introduced, supported, and, finally, passed into a law.——In the report, which was recommitted, and which was, in its finished state, laid before the House of Commons on the 14th of June last, the Committee profess to have in view to introduce such a measure as shall contribute to the producing of such an ample supply of the differens kinds of corn and grain as may be sufficient for our consumption. "This supply," say they, "cannot be expected without a considerable surplus, in plentiful years, above the demand of the home market; it, therefore, becomes desirable, that the grower should have such a ready sale for that surplus by exportation, and bounty if requisite, as may remove all apprehension of his not being able to obtain from a glut of the commodity at the home market, such a price for that surplus as will afford him an equitable profit for his labour, industry, and capital employed in the production. It appears, then, to your committee, that the surest mode by which an ample supply can be expected, is to endeavour to secure an uniform and reasonable price to the growers." Do pray, Sir, read this last sentence over again, and say whether you understand what it means. The surest mode of *expecting* a supply! But, it is agreed, I believe, that your bright geniuses are exempted from the observance of all vulgar rules; otherwise it would be quite impossible to account for the tolerance which the House shewed with respect to this report.——After a short and not very clear statement as to the operation of the corn-bill of 1791, the committee express their full confidence, "that, by due encouragement to the agriculture of the country, and by bringing the Crown and Waste Lands into cultivation, the product of the growth of the corn in the United Kingdom will afford a regular and ample supply for its consumption." What, in the name of common sense! What do they mean by the *product* of the *growth of corn?* Do they mean the money that the crop produces at market? And that that money will purchase "a regular and ample *supply* for the consumption of the kingdom?" What, then, do they mean?—But, let us come to the close of that part of this report, where, if any where, we are to look for the principle of the bill. "It appears to your committee,

" that the price of corn from 1791 to the " harvest of 1803, has been very irregular, " but upon an average (increased in a great " degree by the years of scarcity), has, in " general, yielded a fair profit to the grower. " The casual high prices, however, have had " the effect of stimulating industry, and " bringing into cultivation large tracts of " waste land, which, combined with the two " last productive seasons, and other causes, " have occasioned such a depression in the " value of grain, as it is feared will greatly " tend to the discouragement of agriculture, " unless maintained by the support of Par- " liament."——Loath as I am to detain you, Sir, I cannot refrain from imploring your attention to the style of these law-givers. Their favourite figure of rhetorick seems to be *tautology*. Common men would have been content with either of the two phrases, " *upon an average*," or, " *in general*;" but those gentlemen take them both. Again; I, for instance, should have said, " unless *main-* " *tained*, or rather, *supported*, by the *power* " of Parliament;" and not " *maintained* by " the *support*;" that is, *maintained* by the *maintenance* of Parliament.

But, the style is a mere trifle when compared to the matter of this report. First we are told, that, in order always to have plenty of corn in the country, we must labour to raise taxes to pay the farmers for sending corn out of the country after every plentiful season! It would seem to require no common portion of faith to swallow this doctrine; but, what then shall be said to the context? The premiums, the consequent regular prices of corn, and the constant plenty, are represented as the inducements to agricultural industry; but, directly afterwards we are informed, that it is the *casual high price* which has had the effect of stimulating to that industry. Then, as to waste lands, we are told, that great tracts were brought into cultivation in consequence of the casual high prices; though, just before, we find the *equalizing* of prices represented as likely to cause still more waste lands to be cultivated. But, that which merits most attention, is, their confession, that, without any aid from Parliament, " the price of " corn has been such as, upon an average to " yield a fair profit to the grower." Well, then, what did they want more? They wanted to *equalize* it. To equalize it? What, for the sake of the people; or of the farmer? Let us stop, however, and see your view of the subject. " The design of these regula- " tions, is, that scarcity shall be avoided; " and, for this purpose it is provided, that " corn shall *constantly* acquire such a price, " as will be a sufficient encouragement to " promote its growth. We have lately seen " the quarter of wheat at 118 shillings, and " this arose from the deficiency; but, the " best means to avoid the deficit, is, *never* to " admit this department of agriculture to re- " main without a sufficient compensation." Here, Sir, you repeated, in language more correct and intelligible, the substance of the report of the committee, passing over the circumstance of new enclosures, which, I also, shall lay aside for the present.

In the conclusion of their report, the committee adopt, from Anderson, the argument from *experience*; and they evidently would, if they had not been short of time or something else, have stated, that, previous to the passing of the corn-bounty law in 1688, corn was, upon an average, dear; that, from 1688 to 1755, during the operation of that law, corn was, upon an average, cheap; that, since 1755, when the law became permanently obstructed, corn has been dear, though there has been scarcely any exportation; that, *therefore*, exportation tends to render corn plenty at home, and that, of course, as a premium tends to encourage exportation, the granting of such premium is the way to render corn plenty, and to prevent scarcity and high price. This argument is, in my opinion, worth nothing at all. The effects, to which our attention is directed, are all to be fairly ascribed to causes, with which the corn-bounty was in no wise connected. The troubled state of the country during the forty years preceding the revolution; the tranquil state between that time and the year 1755, during which period agriculture was the principal occupation of the country, and the depreciation of money was gradual and slow; the constantly encreasing relative encroachments, which, during the last half century, commerce has been making upon the agricultural population and labour, and, especially, the reluctance, which, within the last eight or ten years, has existed to grant long leases, a reluctance that has arisen from the rapid depreciation of money, now become visible to the most ignorant and unobserving land-owner; these are causes quite sufficient to account for the high price of corn in the first and second period, and for the low price in the middle period, above mentioned, without having recourse to any supposed influence of the premiums for exporting corn; and, therefore, the measure, by which those premiums have been revived, must be tried entirely by the reason of the case.

Stripping the report of the committee of its rhetorical embellishments, and taking

their meaning, as further explained by yourself, the argument whereon the corn-bill was passed into a law, may be thus expressed. "That a bounty on the exportation of corn "greatly promotes agriculture; that it en- "courages the farmer to raise greater quan- "tities of corn than he otherwise would "raise; that this produces a general plenty "which prevents prices from ever rising "high; that thus corn is rendered cheaper "*upon the whole*, than when its price is al- "lowed at times to sink very low, while at "times again it must rise as disproportion- "ately high." To make good this argument, the advocates of the bounty inform us, that a market for every commodity must always exist, otherwise that commodity will not be provided. To this I answer, that there always does exist a market for corn, and quite a sufficient one too, in the home consumption. But, the reply is, that there should be a market open beside the home market; otherwise the farmers, from the fear of overstocking that market, will always keep it scantily supplied. Good God! that the tillers of the land should draw from that land *less than they are able to draw from it!* that they should forbear thus from any consideration would be wonderful enough; but, that their forbearance should arise from a fear of rendering corn low-priced, when they well know that the price of every other thing is regulated by that of corn, would be truly astonishing. From a country well settled and governed no corn ought ever to be exported; because, it is a proposition firmly established, and universally admitted, that the multiplication of the human species is always in due proportion to the means of subsistence; nor will it be denied, that the tendency of the human species to multiply is much greater than the rapidity with which it is possible to increase the produce of the earth for their maintenance. Population is frequently checked by the deficiencies of agriculture, but agriculture never can, except from very singular circumstances, be checked by the deficiencies of population; or, in other words, by the want of a demand for corn.

It follows, then, Sir, from this imporant fact, which seems to have wholly escaped you and the other advocates for the corn-bounty, that an ample market, and full encouragement, are always afforded to the farmer, without the aid of any trading regulation whatever; and, therefore, as far as I can discover, all that can, after this, be said, in defence of the bounty, is, that, though the principle of population affords sufficient encouragement to the raising of corn, the bounty affords additional encouragement. In answer to this, every one would, without hesitation, say, that there can be no use in over-doing a good thing. Why, if a sufficient market is provided for corn, would you interfere to disturb the natural order of things? Is this general presumption against the bounty there is no little weight; but, if any man will examine the particular circumstances of the case, with only a moderate degree of attention, he will find that the advocates for the bounty have spoken completely without thought, in ascribing to the bounty the power of *increasing the production of corn.*

The intention of the bounty is to prevent the price of corn from ever falling so low as otherwise it would often naturally do. If this purpose be not answered, the law fails of its object. If it be answered, it will either raise the *average* price of corn, or it will not. The advocates of the bounty, and yourself amongst the rest, sometimes express yourselves as if you thought it would not; for you are not very consistent with yourselves on this point, sometimes endeavouring to recommend your doctrine by the popular promise of *average cheapness*; though at other times it suits your purposes to exhibit the opposite face of the subject. But, of this we may rest perfectly satisfied, that, if the bounty does not raise the average price of corn, it is impossible it can encourage the production; and, on the other hand, if it lowers the average price of corn, it must of necessity, discourage the production. These are propositions which you will, surely, agree to. You will admit, that the bounty raises to a certain degree the average price of corn. This high price, you say, would so encourage the raising of corn, that we should have a considerable quantity to export, which would bring us a good deal of money in all good years, and would, by inducing the farmers to raise larger quantities upon an average every year than they now do, by sowing more every year than they now do, save us from scarcity in all bad years. These, then, are the advantages, which you set against a permanent high price of provisions, and a permanent check to population.

But, let us consider how far these effects can be produced by the bounty. And, here, Sir, suffer me to call your attention to one very obvious principle; to wit, that *common competition*, which regulates every trade, and of which it is truly astonishing that you should appear so unable to perceive the effects. This high price of corn necessarily raises the profits of farming stock and labour

somewhat above the ordinary rate of profit in other employments. This, as necessarily creates a competition. The demand for farms becomes greater. The landlords let their lands higher, till farming profit comes down again to a level with the profit of the general business of the country. Here, then, we are again, as to the stimulus to agricultural industry, in the very situation we were in before. Nothing is more certain than that the landlords have it in their power to prevent the profits of the farmers from ever remaining, any long time, above the lowest that is consistent with the nature of their business; that is, the rate of profit common in the same country amongst other business equally respectable and pleasant. But, surely, no man, in his sober senses, will say, that the farmer is, even in the smallest degree, more encouraged, when corn is high than when it is low, if his profits are always the same; nor can the bounty as will hereafter be shown, produce any advantage to the landlord himself.

Thus far Sir, I have done little more than transcribe the arguments of another writer upon the corn bill,* who concludes this part of his essay in the following words. "It is "astonishing what a different course of "reasoning men often pursue on subjects "exactly similar, without seeming at all to "perceive their own inconsistency. On "running over in one's mind some of the "acts of the British Legislature, how many "cases does one find, where it has acted, "and still acts, on a principle directly the "reverse of that, on which it established "this bounty-law; cases, which are as ve-"hemently applauded by the common tribe "of politicians, as is the bounty-law itself! "Why should *wool*, for example, have been "always subject to a system of laws, ab-"solutely and immediately contradictory to "the principle of the corn-bounty? Why, "if a bounty upon the exportation of corn "be so favourable to the production of corn, "should not a bounty on the exportation "of wool be favourable to the production "of wool? Why, if the exportation of corn "have such an effect to produce plenty of "corn at home, should not the exportation "of wool have an effect to produce plenty "of wool at home? How has it been, that, "while the legislature has so often encou-"raged the exportation of corn, it has al-"ways prohibited the exportation of wool "with so much severity? Why are such "inconsistencies still allowed to disgrace "our intellects? What difference can be "pointed out between the case of wool and "that of corn? If it be said, that we have "not enough wool to answer our occasions; "neither have we enough corn, as is clearly "acknowledged by the avowed intention "of the corn-bill. If it be said, that wool "is the material of one of our most im-"portant manufactures; corn is the most "important material of all our manufac-"tures. If it be of importance that the "raw material of any of our manufactures "should be got cheap, surely it is of im-"portance that what is the great material "of them all should be got cheap. If it "would be unwise to suffer our wool to go "to foreign nations to enable them to rival "us in that branch of manufacture, and "thereby increase their population and their "strength, is it not more unwise to suffer "our corn to go to them by which their "population and their strength is more im-"mediately increased? Why, if granting "a bounty on exportation be really so ef-"fectual a means of producing plenty, and "creating riches, do we not establish a "bounty on the exportation of every thing "which we value? Why do we not grant "a bounty on the exportation of sheep and "oxen; butter and cheese; ale, porter,

* Literary Journal, Vol. IV, No. 4, for October, 1804.——The essay, here particularly referred to, appears in the shape of a critique upon Anderson's pamphlet, recommending a bounty on the exportation of corn; but, it contains, in fact, a complete refutation of all the arguments advanced by *all* the writers in favour of a bounty-law.—The work, in which the essay is to be found, does great credit to its conductors; and, operating in conjunction with the Edinburgh Review, it will not fail, I should think, soon to rescue literature from the intolerable disgrace of being, even in appearance, subjected to decisions such as those that are drivelled out through the paltry pages of the British Critic, and similar publications.—As to some points, and those not unimportant ones, I widely differ in opinion with the Edinburgh Reviewers; and, for reasons that I may soon find an opportunity of stating, I am afraid that the long arm of Downing Street has reached them, and communicated to them its palsying effect. But, they are men of talents; their writings discover great research, acuteness, and profundity; of course, they are not, for a moment, to be put in comparison with those things, called Reviews, which are mere fulsome common-place eulogiums, written either by the authors themselves, or by their friends, and the admission of which is frequently paid for.

" and spirits? Why not on tables and " chairs, and all other articles of furniture? " Why not on carriages? Why not on " horses? Nay, to go higher, why, in or- " der to increase population, not grant a " bounty on the exportation of men and " women? Why not especially grant a " bounty on the exportation of such classes " as we have most need of, soldiers, for ex- " ample, and sailors? As for politicians, " we have such a supply of them, the very " best in their kind, that we have no occa- " sion for exportation, unless it be as a se- " curity against any decay in the numbers " or breed." Upon which latter score, I think, my friend must be perfectly at ease, if he only just casts his eye upon the innumerable fry of " young friends" that your return to power has once more brought into clear water. Women, indeed, you do suffer to be exported, Sir; and, you appear to have no objection to the exportation of men, provided that they are *farmer's labourers*, while you have severe penalties against the exportation of button-makers and weavers; and this, too, at the very time when you are passing a law to raise taxes upon us to give to the farmers, in order to enable them to increase the quantity of that article, which cannot possibly be increased without a previous increase in the number of those labourers!

Though I am persuaded, that the arguments above advanced must appear conclusive in the mind of any intelligent man, yet, it may not be altogether useless to take the subject in another view, somewhat closer connected with matter of fact.

It has been already observed, that, in defending the principle of the bounty law, you and its other advocates are not always consistent with yourselves; sometimes seeming to consider the effect of the bounty as a reduction, and sometimes as an increase, of the average price of corn. Various, indeed, are your self-contradictions upon the several parts of the subject; but, there is one position, which seems to be, and which must be, constantly insisted on, and that is, that the effect of granting a bounty upon the exportation of corn is to increase the quantity of corn; or, to state it with greater precision, *to cause to be produced, upon the whole, more corn than would be produced if the bounty were not granted.* This position you must maintain, or confess at once that your object is to lessen the quantity of corn consumed at home. That you will not do the latter is certain; and, that you cannot do the former it will, I think, cost me but little trouble to prove to the perfect satisfaction of any observing individual, who is any thing more than a mere dabbler in the science of rural economy.

At an age when my chief occupation was to hobble over the clods by the side of the plough-horses, I remember, that I used to wonder how it happened, that the land produced enough, and only enough, for all the animals that fed on its produce. My mind did not penetrate so far as the human species: it found quite sufficient to be astonished at in perceiving, that there was always just horses enough to eat the hay, and just hay enough for the horses? just meadows enough for the cattle, and cattle enough for the meadows; sheep enough for the downs, and downs enough for the sheep. If I rambled into the forest or over the common, I never found a blade of grass to spare, and yet there was always enough to maintain all the various kinds of animals that fed on it, though they belonged, perhaps, to a thousand different persons, every one of whom wished to feed thereon as many animals as he could, and though there was no active law to regulate the conduct of those persons. Such astonishment was natural enough in a boy of nine or ten years old; but, it would not be bearable at an age when the mind ought to be in the full exercise of its faculties. Yet, Sir, there does appear to be persons, and those persons calling themselves politicians, and taking upon them to govern the people too, who seem not to be able to perceive, that there is any principle by which is preserved the due proportion between population and subsistence; between the number of mouths in a country, and the quantity of corn with which those mouths must be fed; or, in other words, between the sustenance requisite for the people, and the *producing capacity* of the land.

The persons, who have thought, or, rather, who have talked and written, upon the subject of the corn bounty, may be divided into four classes; and, in describing their several notions relative thereto, I shall, I think, succeed in establishing the position, *that granting a bounty on the exportation of corn, never can cause to be produced, upon the whole, more corn than would be produced if the bounty were not granted.*

The *first class* of these politicians seem to think, that the *producing capacity* of the land always exists, and in the same degree too; or, in other words, that *all the land* will bear equally well *every year*, if it be but *sown*; and, of course, that the quantity of corn produced depends, barring only the different effects of different seasons, entirely upon the

quantity of land that is sown. This class, therefore, in which I should expect to find, for instance, Mr. Long, Mr. Huskisson and George Rose, look, from their custom-house habits, to an exportation bounty as an infallible inducement to the farmers to sow more land, and produce more corn. "Oh, oh!" say they, "they won't raise corn, won't they! Give "them a bounty for exporting it, and they'll "sow corn enough every year; and, then, "after a bad season, as the price will be too "high to admit of exportation, we shall "keep the produce of the whole harvest at "home, which, in such case, will, from the "inducement of the bounty, be greater in "quantity than it would have been if no "such inducement had existed." This, I should suppose, is exactly their course of reasoning.

The *second class* look a little deeper. In their trips to Walmer, or elsewhere, they perceive great numbers of fields that do not bear a crop every year; that are not sown every year; that are, in short *fallows* or *lays* *. Both of these mean land which is suffered to lie all the year round, or two or more years, unsown, in order that it may recruit its strength; in order that, after having been impoverished, if not quite exhausted, it may recover its producing capacity. Nor are these resting fields few in number. The next time you make a military survey, Sir, only take out your pencil, note down the number of fields that you pass, making a cross for every fallow or lay, and, unless your route be, like that of Major Sturgeon, within the smoke and the reach of the manure of the metropolis, you will surely find, a cross for every fourth field, and you will, of course, be convinced, that one fourth part of the arable land is, upon an average, lying at rest; lying unsown for the purpose of recovering its producing capacity. The fact is, perhaps, that, taking all the kingdom together, more than one third of the arable land is in this state; but, that has nothing to do with the principle we are discussing.—— Upon the slightest attention to this circumstance of fallows and lays; fields not having the capacity of producing; fields out of which all the ploughing and sowing in the world would not produce a crop equal in quantity to the seed, to say nothing of the sustenance required for the ploughmen, sowers, harrowers and horses; upon the first and most slight attention to this circumstance, the mere custom house notions must have vanished from your mind. Not so, indeed, was it with Lord Carrington and your far famed Board of Agriculture; nor yet with the wise and modest Grand Jury of Yorkshire, who *presented* the yielding of tythes to the Clergy and the want of a General Enclosure Bill, at a time when one third of their already-enclosed fields were in a state of fallow or lay for the want of a sufficiency of manure to give them the capacity of producing corn! Of these miserable follies, however, you, Sir, must long ago have been weary. Yet, pardon me if I think that you appear not to have completely disentangled yourself from them. You perceive clearly enough, that all the arable land must, each part in its turn, have rest, and that, some of it must rest for several years at a time; but, you seem to have a sort of confused notion of giving to the farmers the ability of supplying this deficiency of nature. From the whole of your speeches upon the subject of the corn-bounty, it is evident, that you think, that it is possible to add to the producing capacity of the land by throwing, through the means of high prices, more money into the hands of the farmer, because the farmer will, thereby, be enabled, not to purchase perhaps, but, somehow or other, to get more manure upon his land; and this seems to be the highest point at which you have arrived.

The *third class* of politicians, however, carry their reflections further. They inquire whence the extraneous capacity of producing corn, that is to say, manure; they inquire whence it comes; and they soon trace it back either to horses, cattle, sheep, and hogs; or to the pits of chalk, clay, marle, or sand. (I leave out *tillage* here; but the same arguments will apply to it.) Let us, therefore, say they, encourage the breeding of animals, and the digging and mixing of soils; and, in order thereunto, let us secure a good price for corn, that the farmer may be enabled to expend more upon these objects, so evidently necessary to the increasing of the producing capacity of his land. They perceive clearly that an increase of labour must precede this other increase. There must be labour to dig and mix the soil, and labour to tend the animals, before the pits and the animals can communicate any portion of productive capacity to the fields; and, therefore, say this class of politicians, give the farmer the means of procuring more labour, and these means he will find in the high price of his corn.

* The distinction between a *fallow* and a *lay* is this: the former is a field lying to rest, but, during the time that it so lies, it is ploughed once, twice, or three times: the latter is also a field lying to rest, but it lies without being ploughed.

But, the *fourth class*, in listening to the opinions of the third, are astonished that, when they were tracing back one sort of manure to the bowels of the earth, they did not trace the other sort back to its surface; that in tracing back soils to the pits, they did not trace back bestial manure to oats, hay, roots, grass, and fodder; and, that, from the additional quantity of feed absolutely necessary to the existence of dumb animals, they did not trace back the increased labour of man to an additional quantity of food, that is to say of corn, not less necessary to his existence; for who is there so blind as not to perceive, that labour must always be *preceded* by sustenance? Trivial expressions frequently lead to important errors. We talk every hour of our lives about a man's "earning his bread before he "eats it," though nothing is more true, than that he must eat it before he earns it; which corresponds with the saying of the country people, that "ploughing "comes out of the cupboard and the man-"ger." If I am asked, "how, then, "could agriculture ever have begun," I answer, that man had subsistence before it began. God made the fruits of the earth, the beasts, and the birds, before he made man. Man was a hunter and lived upon wild animals before he cultivated the ground. When colonies have been settled, the colonists have always lived for years upon the produce of other countries. Indeed, it is a self-evident proposition, a clear and unalterable law of nature, that labour must always be *preceded* by sustenance. "How, "then," some one will say, "has the agri-"culture of any country ever increased, if "the increase of corn be always *previously* "necessary." I answer, that there are two distinct causes of the increase of corn, *labour* and the *seasons*. An abundant season, that is to say, a season which communicates to the land an extraordinary portion of the producing capacity, has the same effect that a very great addition to the quantity of labour would have; that is, it causes an increase in the quantity of sustenance; this increase instantly causes an increase in the quantity of labour, labour brings manure, and manure adds to the producing capacity of the land. In this way it is, that the agriculture of a country is increased; and, as I think, that even George Rose himself will not pretend that the corn-bounty will have any influence upon the seasons, my argument remains entirely unshaken by the fact of a progressive increase of the agriculture of a country.

Thus, then, Sir, it appears; that, as far as human means are concerned, to cause to be produced, upon the whole, more corn than is now produced, it is not sufficient that we plough more land and sow more seed, but, that, *previous* to such an addition to our ploughing and sowing, we must add to the producing capacity of the land; that, to add to the producing capacity of the land, we must previously obtain more manure; that, to obtain more manure, we must previously obtain more labour; that, to obtain more labour, we must previously make an addition to the sustenance of the people; and, that, therefore, as the sustenance of the people is corn, the exportation of corn never can add to their sustenance; and, hence the regular, the natural, and necessary conclusion that *the bounty granted to encourage an exportation of corn never can cause to be produced upon the whole more corn than would be produced if the bounty were not granted.*

This view of the subject, Sir, which I cannot help hoping will experience no disadvantage from its simplicity, will greatly assist us in determining what must be the real effects of a bounty-law, or any effective law, for the exportation of corn. We have seen that it cannot cause a greater quantity of corn to be produced than would be produced without it; and we know, that by causing some corn to be sent out of the country, it must prevent that corn from being eaten in the country, and must thereby, in whatever degree it is effective, operate as a check to population, having first produced that want and misery, without which population never is or can be checked. But, let us trace this evil more minutely through its progress.

I shall suppose myself a farmer with twenty arable fields, five of which are fallows or lays, that is, they are lying to rest, in order to recover their producing capacity. It is now the time to begin ploughing for the next seed-time. I consider whether corn is likely to be plenty or scarce; and, having arrived at a conclusion upon that subject, I look at my fields; some, perhaps, I find to be quite exhausted, some to have a little of the producing capacity in them, and some a great portion of it. I then go to work, and put into exertion whatever degree of this capacity I think will best suit the demands of the year, and, of course, contribute most to my advantage. If I think corn will be very dear, that is to say very scarce, I bring into exertion as much as I possibly can of the producing capacity of my fields; if I think corn will be very cheap, that is to say very plenty, I suffer a

great portion of this producing capacity to remain unexerted. "That is the very thing "we want to prevent," say you, "we want "to prevent you from being thus deterred, "by the prospect or probability of a plenti-"ful harvest and of a glutted market, from "sowing so much land as you otherwise "would sow; we want to prevent you "from ever being induced thus to neglect "your fields, to throw away their producing "capacity." I do not neglect them, Sir; I look at them by day, and think of them when I commune with my pillow. You do not see them lying waste. Their hedges are kept up; their gates carefully fastened. I well know their value; and that that value is daily and hourly increasing. No, Sir, I do not *throw away*, and no prospect of plenty or of any thing else will ever induce me to throw away, even the smallest portion of their producing capacity. I do not throw this precious quality away, but I *reserve* it to be exerted at a time when its exertion will be more advantageous to me than at present; and that time is when unfavourable seasons, or other causes, have rendered corn more scarce than it now is: in short, the producing capacity is hoarded up in my fields, upon the same principle, from the same motives, and with the same effect, that the produce itself is afterwards hoarded up in granaries and store-houses; and, excuse me, Sir, if I cannot help thinking, that the persons who imagine a high price at home, or a bounty on exportation, to be necessary to prevent me from *throwing it away*, discover a mind very little superior to that of those, who suspected and accused the corn dealers and mealmen of throwing their corn and flour into the Thames, in order to keep up the price of those commodities! But, if the ports had been open; if an exportation bounty-law had been in force; and if the people had seen ships loaded with corn and flour sailing down the river, destined to Spain, Portugal, or elsewhere, it would not have been without good and sufficient cause that they would have complained. So, would it be with respect to my fields, under the operation and inducements of a bounty-law. They would possess neither more nor less of the producing capacity on account of that law; but, as soon as the law was passed, I should have another market besides the home one to look to. I should be less careful to keep in reserve the producing capacity of my fields, because I should be sure of a market in the exportation; and, thus, in plentiful seasons at home, I should frequently send abroad part of the producing capacity of my fields, instead of reserving it, instead of hoarding it up, as above described, to be brought forth and exerted in seasons of domestic scarcity. A bounty-law, therefore, so far from answering its professed purpose of diminishing the evils of scarcity, must, in whatever degree it becomes effective, add to those evils by causing the exportation of the producing capacity of the land, and thereby retarding the return of plenty and prolonging the duration of dearth.

This, then, Sir, is the result of my inquiry: that, as the land possesses only a certain portion of producing capacity; that, as the whole of this capacity will, in the most suitable time and manner, be fully called forth and exerted by the demands for sustenance at home; and, that, as the granting of a bounty on exported corn can never add to the producing capacity, any law to encourage or permit the exportation of corn, is a law for exporting the producing capacity of the land; a law to abridge the domestic consumption; a law to check population, by creating want and misery; a law to prevent the unborn from being born, to dry up the milk of infancy, to stint and retard youth in its progress to manhood, to unstring the nerves and hasten the decline of manhood itself, to embitter the sorrows and sharpen the pangs of old age; a law to depopulate the hamlet and to people the work-house, to add to the more than a million of miserable paupers already in existence, to extinguish the last remaining spark of private independence and of public spirit in the bosoms of the common people, to weigh them down to the earth, to break their hearts, to disgust them with their country and their government, and to prepare them for a willing subjection to the foe.

Deeply impressed with the truths that I have endeavoured to establish, and sincerely persuaded that, however erroneous your measures, you would wish not to accumulate evils upon your country, I cannot conclude without expressing a hope that you will, at an early period of the session of parliament, propose a repeal of the odious and dangerous law which has given rise to this discussion.——It was my intention to have entered here upon an inquiry respecting New Enclosures and The State of The Poor; but these subjects must be deferred till another opportunity.——I am, Sir, your, &c. &c. &c. WM. COBBETT.

*Duke Street, Dec. 5, 1804.*

P. S.——Sir, I am aware of the disadvantage arising from the subjoining a long postscript to a long letter; but, as it is un-

derstood, that several petitions are to be presented to Parliament against the corn-law, by the large cities and towns; and as the law arose from the petition of the farmers, and was supported chiefly by the land-owners, I cannot refrain from making here a few remarks, which I think will tend to convince the farmers and landlords, that the law cannot produce any beneficial effect to them. Indeed, if they are satisfied with my arguments upon the principle of the law, a very little reflection will teach them to make this application. Yet, it may not be altogether unnecessary to point out here, in detail, some circumstances, which would have interrupted and encumbered the discussion of the principle.——It is well known, that the first law (passed in 1688) granting a bounty on the exportation of corn, "was passed with a view to give a "premium to the country-gentlemen, in "order to obtain their consent to the im-"position of the land-tax." The present bill has been, by some persons, attributed to a similar motive; while the Edinburgh Reviewers, who seem to be quite willing to go as far as possible in approving of all your measures, are inclined to ascribe the bill, to a motive still less worthy of a statesman, namely, party politics. "The success of "such topics" (say they, after quoting a passage from the report of the corn-trade committee) "might not, perhaps, have been "equally great, if the *Master of the Stats*" (These men have certainly been touched with the finger of ministerial grace!) "had already "been fixed upon that vantage ground, from "which he may *now dictate* a policy more "congenial to his former system. Amidst "the arrangements of foreign policy and of "war which may be supposed to absorb his "mind" (Can they be serious, Sir!), "the "humble and less precarious plans of do-"mestic legislation may be forgotten." What they add is well worthy of your serious attention. "But the minister who "tampers for a present purpose, with his "own maxims, and indulges individuals in "their frivolous fondness for making laws, "instead of opposing, to temporary inte-"rests, the spirit of a general policy, can-"not be true either to his own fame, or to "the lasting prosperity of Britain." These critics should, however, have done you the justice to observe, that the bill did not originate with you, nor during your influence over your predecessor. It was one of his pretty little presents to the nation; and you are to be blamed only because you adopted it. It might, or it might not be intended by him as a sort of compensation for the new Income Tax; but, whoever takes time to reflect, will soon be convinced, that such compensation is a mere illusion, and that, it is impossible, that a bounty on the exportation of corn can produce any advantage to either the farmer or the landlord.——It is agreed, that an export-bounty *will raise the average price of corn*: and this circumstance the petitioning farmers, political landlords, and you, appear to think would be advantageous to the farmer; for your publicly expressed opinion was, that corn was, in July last, "at much *too low* a price to afford the grower a "reasonable profit." No matter how low, or how high, the price was: the words clearly conveyed your opinion, that the high price of corn was favourable to the grower, that is, to use a more common term, to the farmer. And *why*, Sir, pray let me ask you, should the high price of corn be any more favourable to him than a low price; seeing, that the rent of his land, the feed for his horses, cattle and sheep, the food for his servants, the wages of his labourers, the repairs of his house, the price of his implements, his furniture, his dress, and of every article he uses, whether from necessity, for comfort, for convenience, or for pleasure, not only bear a due proportion to, but are regulated by, the price of his corn? In the country you will often hear unthinking farmers complain of the cheapness of corn, and say that it is "not worth the seed;" but, one sack of wheat generally brings eight sacks, and, it is pretty clear, that however small a sum eight sacks will sell for, the farmer can buy the seed with *one eighth* part of that sum. Accordingly, all the while we hear these complaints and bon-mots from the farmers, we see them very busy ploughing and sowing, and as anxious as ever to get a good crop and to house it in good condition.—— I am aware, that it will be observed, that, one article, namely, labourers' wages, do not rise with the same rapidity as corn does. They are always lagging a certain distance behind; and, when corn rises very suddenly, the labourers' wages bear no proportion thereto. But, remember, Sir, or, if you should not, the farmers will *feel*, that this circumstance is no advantage to them, though dreadfully injurious to the country. The agricultural labourer never receives more than enough to maintain himself and family; and, therefore, in whatever degree his wages fall off, considered relatively with the price of corn, in that degree he must, and does, receive aid from the parish, that is to say, from the farmer. Nay, viewing the farmer thus as the payer of the parish

rates for the maintenance of the agricultural poor, the disproportion which is, by a rise in the price of corn, created between that price and the price of the labourers' wages; viewing the farmer in this light we shall find, that the rise in the price of his corn is a very serious injury to him; for, the labourer, once upon the parish, once degraded, is but too apt to give up all exertion, and to be strongly inclined to live upon the farmer without any labour at all. This is, I am afraid, a very prevalent effect of the high price of corn, and a more fatal one cannot possibly be produced.——Nor is the landlord a gainer by the high price of corn, from whatever cause it proceeds, and, of course, not by a high price proceeding from a bounty on exportation. "The real effect "of the bounty," says Smith, "is not so "much to raise the real value of corn, as "to degrade the real value of silver; or to "make an equal quantity of it exchange "for a smaller quantity, not only of corn, "but of all other commodities. Though, "in consequence of the bounty, the farmer "should be enabled to sell his corn for four "shilling the bushel instead of three and "sixpence, and to pay his landlord a money "price proportionable to this rise in the money "price of his produce; yet, if in conse-"quence of this rise in the price of corn, "four shillings will purchase no more goods "of any other kind than three and sixpence "would have done before, neither the cir-"cumstances of the farmer, nor those of "the landlord, will be in the smallest de-"gree mended by this change. The far-"mer will not be able to cultivate better: "the landlord will not be able to live better." Suffer me to express my surprize, Sir, that you should have completely rejected this doctrine of your great master, when you have, in so many instances, followed him too closely in those matters where the warlike or diplomatic statesman should have soared above the cold political economist!—As I am fully persuaded, that the petitioning farmers and landlords will, by this time, begin to perceive, that they have made a very great mistake as to the effect of a bounty-law; I cannot help flattering myself, that, their minds being once open to conviction, I shall be able to convince them, that, in another point of view, such a law must be injurious to them; always keeping before us the fact, that the bounty on exported corn will *raise the average price of corn*——If the bounty on exported corn, raise the average price of corn, the next consequence is, as Smith observes (and as, indeed, we needed neither ghost nor Smith to tell us) "to degrade the value of silver;" that is to say, to depreciate the currency of the country (it is *not* silver now-a days) further than it is at present depreciated. And, Sir, can the landlords and farmers, above all men living; can the landlords and farmers, whose common interest it is that money should depreciate as little as possible, in order that the one may grant and that the other may obtain as long leases as possible; can this description of persons; no, they never can, wish for any law, by which the depreciation of money must necessarily be accelerated! Upon this part of the subject, Sir, I beg your attention to a passage from the writer referred to in the former part of my letter. "Is it not strange," says he, "indeed, to "observe a law made for the encourage-"ment of agriculture, on a principle, ob-"viously problematical, and demonstratively "unjust, in a country pretending to be en-"lightened, where a practice remains un-"challenged, which opposes an absolute "barrier to all improvement, and which is "daily gaining ground; the practice, we "mean, of refusing leases to farmers, and "compelling them to cultivate on the tenure "of a single year? In almost every one of "the agricultural reports of the different "counties, this is complained of as a grow-"ing evil "I am sorry," says the secre-"tary to the Board of Agriculture, in his "General View of the Agriculture of Hert-"fordshire, "I am sorry to observe that a "" *prejudice* against the granting of leases, "" *increasing daily*, will, if not checked by "" the *good sense of the landlords*, injure, be-"" yond any calculation, the agriculture of "" the kingdom." That intelligent agri-"culturist, Mr. Kent, in his Agricultural "Survey of Norfolk, says: "that leases "" are the first, the greatest, and most ra-"" tional encouragement that can be given "" to agriculture, admits not of a doubt in "" my opinion. But of *late years* there are "" very *strong prejudices* entertained against "" them. In many counties," continues "he, "the *prejudice* is so strong, that an "" owner would *as soon alienate the fee simple* "" *of his estate as* demise it for a term of "" years. It grieves me," says he again, "" to go into a country, which I often do, "" and find it almost in a state of nature, "" because the soil being wet and expensive "" to cultivate, the tenant cannot afford to "" do it without encouragement, and the "" owner's *insurmountable objection to leases* "" keeps him from granting the sort of "" encouragement which is essentially ne-"" cessary." Another of the best informed "and most judicious writers on this im-

" portant subject, Mr. Middleton, says, in " his View of the Agriculture of Middle- " sex, " It is, without doubt, a most *un-* " " *reasonable prejudice* which many proprie- " " tors entertain against granting leases of " " their estates; for the with-holding these " " certainly operates as a most powerful " " bar against every improvement." And " after a long discussion of the subject, he " adds, " leases appear to me to be of so " " much importance, as being perhaps the " " most powerful and rational means of " " promoting improvements in agriculture, " " that I hope I shall stand excused for " " having entered so fully on this branch " " of the report." Do we then indeed " " *suffer* the *folly and ignorance* of landlords " " to with-hold the first, the greatest, and " " most rational encouragement of agri- " " culture, &c. &c." "——Mercy! mercy! good Sirs! why treat the landlords so cruelly? It is a very plain matter-of-fact question that they have to decide; and, as it is evident that they cannot hope to gain any thing by preventing their own land from being well cultivated, I should be very much disposed to trust to their judgment without any inquiry into the reasons upon which it is founded. Let us, see, however, Sir, if we cannot, in the sole circumstance of the *rapid depreciation of money*, find a reason more than sufficient to wipe away all these heavy charges against the landlords.——Leases of farms were, previous to the commencement of your administration, and, I believe, so late as the year 1795 or thereabouts, generally granted, for twenty-one years; some for fourteen years; some for eleven; some, but, comparatively, very few indeed, for a term so short as seven years. Now, Sir, you yourself did, during your speech upon the Civil List, last June, acknowledge, that, since the year 1786, a space of only eighteen years, money had depreciated 60 or 70 per centum. You might have said more than 100 per centum, as I shall, upon a future occasion, amply demonstrate. But, suppose the depreciation to have been *only* 70 per centum, and that I had, in 1786, let a farm, for a 21 years' lease, at the yearly rent of 170 pounds, should I not now most sensibly feel, that my income was reduced to 100 pounds a year? Should I not perceive, that, before the 21 years were expired, I should have, perhaps, very little left, seeing that out of the 70 per centum of depreciation during eighteen years, 50 per centum, at least, has occured since the year 1796, that is to say, in the space of seven years? This is the most important circumstance; that, within *this last-mentioned space*, the depreciation has been so much more rapid than formerly, so much more rapid than even during the former part of your administration; and, accordingly we find, that it is " only till " within these *late years* " that the " *prejudice* " against granting leases has prevailed. Indeed, that landlord who does not now perceive, that, to grant a lease of 21 years, would be nearly the same thing as to " alienate the fee simple of his estate," must be " nature's fool," and not yours. And are landlords then to be blamed, to be thus harshly censured, to be abused, to be called " prejudiced, foolish, ignorant," and what not, because they do not voluntarily set their hands and seal and irrevocably bind over themselves and their descendants to ruin and beggary, while others are wallowing in riches upon their estates! " Strange prejudice," indeed, that should make men dislike dying in a work-house and making over their children to live upon alms drawn from his own estates! What disaffected and disloyal rascals they must be, too, not to do this rather than thus expose the consequences of your paper-money-system!—I was just going to propose some means of coming at them by the way of law; but I see that one of these agricultural surveying gentlemen (some of whom, be it well remembered, had the merit of being the first to recommend the seizure of the tythes and the stipendizing of the clergy) has some thoughts of the propriety of not " *suffering* the folly and " ignorance of landlords " to with-hold leases! —— Really, Sir, I should like to know, whether the effects of a paper-money, not convertible into specie, ever entered these men's heads? And yet, one would think it quite impossible that it should not. That ARTHUR YOUNG, too, the Secretary to that profound body, the Board of Agriculture; the correspondent of the " American Cincinnatus;" that Arthur Young, who had travelled through a country of assignats; that this oracle of agriculture and political economy, who puts F. R. S. at the end of his name; that he, too, should be " *sorry* to observe that a " prejudice against the granting of leases " is *increasing daily!*" Daily! The gentleman must have been very constant in his inquiries! But, where must he have lived? Had he never heard talk of the bank-restriction law? Had he never heard that the bank was no longer obliged to pay their notes in cash; while, at the same time, these notes were, as to every practical purpose, made a *legal tender* in discharge of

rent? I shall, in good truth, begin shortly to suspect, that a man may put F. R. S. at the end of his name, and yet be no conjurer.——But, Sir, not to trouble you with any more of these conjectures, I will now dismiss this Postcript with pointing out a practical advantage that may be drawn from the facts stated by these Agricultural Surveyors. They are represented, and, I dare say, very truly, as persons of unimpeachable veracity; and they assure us, not upon hearsay evidence, but upon the result of their own personal inquiries and inspection, that, "of *late years*," (please to mark the phrase) "a strong and un-"conquerable prejudice" has existed, all over the kingdom, to the granting of farming leases; and that, this prejudice is carried to such a length, "that a land-owner "would as soon alienate the fee-simple "of his estate as let it for a term of years." Such is their first fact. The next is: that this prejudice "injures agriculture beyond "calculation; that it is more injurious to "it than all other disadvantages put to-"gether; and that, to *remove* this prejudice "would be the *first*, the *greatest*, and *most* "*rational* way to encourage agriculture." After which I need only add, that this prejudice evidently arises from no other cause than the rapid depreciation of money occasioned by the present paper-money system, leaving it to *you*, Sir, to determine, whether a much more *speedy* and *effectual* measure for encouraging agriculture might not be adopted than that of passing long bills about the prices of corn.

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TO THE READER.

The matter which would have presented itself under the head of *Summary of Politics*, must be postponed till next Number. The essays in the present Number will be found interesting in the extreme. The letter on the Incapacity of Henry VI; the letter, p. 900, addressed to Mr. Pitt on the claims of the Catholics of Ireland; the two letters, in p. 906 and 911, upon the repeal of the test laws; the letter in p. 914, upon the subject of Sir James Craufurd's Parole; that, in p. 919, upon the effects of paper money in times of scarcity; all these letters I beg leave to recommend to the attentive perusal of the reader. Upon the two latter some remarks will hereafter be offered.

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## PUBLIC PAPERS.

FRENCH CIRCULAR NOTE.—*Circular Note from M. Talleyrand, French Minister for Foreign Affairs, to all the Diplomatic Agents of his Majesty, the Emperor of the French.—Dated, Aix-la-Chapelle, Sept. 5, 1804.*

(*Continued from p.* 820.)

In every country, and at all times, the ministry of diplomatic agents was held in veneration amongst men. Ministers of peace, organs of conciliation, their presence is an omen of wisdom, of justice, and happiness. They speak, they act but to terminate, or prevent, those fatal differences which divide princes, and degrade a people, by the passions, murders, and miseries, which are the offspring of war. Such is the object of the diplomatic ministry; and it must be said, that it is to the observance of the duties it imposes, it is to the generally respectable character of the men who exercise this sacred ministry in Europe, that it owes the glory and the happiness it enjoys; but these happy effects torment the jealous ambition of the only government which makes itself an interest in the ruin, the shame and the servitude of other governments. They wish that diplomatic ministers should be the instigators of plots, the agents of troubles, the directors and regulators of machinations, vile spies, cowardly seducers—they order them to foment seditions, to provoke and to pay for assassination; and they pretend to throw over that infamous ministry the respect and inviolability which belong to the mediators of Kings, and the pacificators of nations.——Diplomatic ministers, says Lord Hawkesbury, ought not to conspire in the country where they reside, against the laws of that country; but they are not subject to the same rules with respect to states at which they are not accredited. Admirable restrictions! Europe will swarm with conspirators, but the defenders of public right must not complain. There will always be some local distance between the leader and the accomplices. The ministers of Lord Hawkesbury will pay for the crimes they cause to be committed; but they will have that prudent deference for public morality, not to be at once the instigators and the witnesses.——Such maxims are the completion of audacity and hypocrisy. Never were the opinions of cabinets and the consciences of any people made game of more shamelessly. His Majesty the Emperor thinks that it is time to put an end to the disastrous career of principles, subversive of all society.—You are ordered, in consequence to declare to the government where you reside, that his Majesty will not recognize the English diplomatic corps in Europe, so long as the British ministry shall not abstain from

charging its ministers with any warlike agency, and shall not restrict them to the limits of their functions. ——The miseries of Europe proceed from its being deemed obligatory every where to observe maxims of moderation and liberality, which being just but by reciprocity, are only obligatory with respect to those who submit to them. Hence governments have as much to suffer from their own justice as from the iniquity of a ministry which recognises no law but its ambition and its caprice. The miseries of Europe proceed also from public right being considered under a partial point of view, whereas it has life and strength only from its integrity. Maritime Right, Continental Right, the Right of Nations, are not parts of public right that can be considered and preserved in an isolated manner. The nation that pretends to introduce arbitrary rules into one of those parts, loses all its claims to the privilege of the whole. The systematic infractor of the Rights of Nations places himself out of that right, and renounces all interest founded upon the Maritime Right, and the Continental Right. ——His Majesty the Emperor regrets his having to order measures which are a real interdiction pronounced against a State; but, all reflecting men will be at no difficulty to see that in this it is only necessary to ascertain facts. The English ministry, by the generality of their attacks, have placed coasts, isles, ports, neutrals, general commerce, in a state of interdiction; in fine, they have just proclaimed the prostitution of the most sacred and most indispensable ministry, to the repose of the world. His Majesty thinks it his duty to excite the attention of all governments, and to warn them, that without new measures, adopted under the conviction of the present danger, all the ancient maxims, upon which the honour and independence of states rest, will be immediately annihilated.——(Signed) CH. MAU. TALLEYRAND.

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ORDER TO ARREST SIR G. RUMBOLD. —*Extract of Letter from the Minister General of Police at Paris to Marshall Bernadott.*—*Dated 10th Oct.* 1804.

(After stating that M. Rumbold is following the system of Messrs. Drake and Smith, and that the British minister has avowed a plan of conspiracy and plots "which is "proved, besides, by the conduct of Mr. "Taylor, and the original papers in my "hands," Fouché proceeds in the following terms:) "In consequence of these new and subversive principles, his Majesty the Emperor has caused it to be declared, that he will not recognise any diplomatic character in the English agents, who have been placed by their own government, out of the law of nations and the common law of civilized nations; they desire then, that M. Rumbold be considered as any other English individual who should adopt criminal practices, and be seized if it be in your power to do it, taking every measure to secure his papers. I invite you, Marshal, to take all the necessary steps to accomplish this object. I have the honour to be,—(Signed)—FOUCHE.

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FRANCE AND RUSSIA.—*Note from Mr. Talleyrand, French Minister for foreign Affairs, delivered to Mr. D'Oubril, Russian Chargé d'Affaires at Paris. Dated 29th July, 1804.—N. B. The substance of this note was given in p. 758.*

The undersigned minister for foreign affairs has submitted to his Majesty the Emperor, the note of M. D'Oubril, Chargé d'Affaires from Russia, (of the 21st July, 1804). The undersigned has received orders to declare, that whenever the Court of Russia shall fulfil the articles of its treaty with France, the latter will be ready to execute them with the same fidelity: as Russia must naturally think that the treaty is equally binding upon the two contracting powers. If the Cabinet of St. Petersburgh is of opinion, that it has some demands to make in consequence of the articles IV. V. and VI. of the secret convention of the 18th Vendemiaire, year 10, France also claims the execution of the 3d article of that treaty, which is expressed in the following terms: —"The two contracting parties, desirous to the utmost of their power, to contribute to the tranquillity of the two respective governments, engage not to suffer their respective subjects to maintain any correspondence, direct or indirect, with the enemies of the two states, or to propagate principles contrary to their respective constitutions, by fomenting any disturbance whatsoever; and that in consequence of this agreement, every subject of one of those powers inhabiting the states of the other, who shall do any thing contrary to its safety, shall be removed from the said country, and transported beyond its frontiers, without having any claim to the protection of his own government. This article, framed with as much precision as wisdom, declares the very friendly dispositions which bound the two powers at the time of forming this treaty. France, therefore, did not expect that Russia would grant its protection to French Emigrants, by accrediting them to the neighbouring

powers of France, where they might indulge their hostile dispositions against their country: nor did she expect such a conduct from M. Marcoff, the minister of Russia, who was the real cause of the disunion and coolness existing between the two powers. During his residence in Paris, he constantly encouraged every kind of intrigue that could disturb the public tranquillity; and he even went so far as, by his official notes, to place under the protection of the law of nations, French emigrants, and other agents, in the pay of England.—France did not expect that Russia would purposely send on a mission to Paris, those officers who had excited strong complaints against them, as was well known to that government. Strange conduct, when it is considered what is the duty of all governments; but still more so, when reference is made to the article already cited.—Lastly, was the mourning which the Court of Russia assumed for a man, whom the tribunals of France had condemned for having plotted against the safety of the French government, such a conduct as was conformable to the letter or the spirit of this article?—The French government demands the execution of the 9th article of the secret convention, in which it is stated, "that the two contracting parties ackowledge and guarantee the independence and the constitution of the Republic of the Seven United Islands, formerly belonging to Venice; and that it be agreed, that there shall be no foreign troops in those islands;" an article evidently violated by Russia, as she has continued to send troops thither, which she has openly reinforced, and has charged the government of that country, without the consent of France.——France also demands the execution of the second article of the same convention, the evident application of which should have been, that instead of manifesting such a partiality for England, and of becoming, perhaps, the first auxiliary of its ambition, Russia should have been united to France, in order to consolidate a general peace, to re-establish a just balance in the four parts of the world, and to procure the liberty of the seas. These are the precise expressions of the article.——Such ought to be without doubt, the conduct of the two powers, respecting the treaty which binds them both; but the cabinet of Russia expects that France will fulfil the stipulations to which she is engaged, without executing those which she is bound to perform. This is acting like a conqueror towards a vanquished power: this is to suppose that France can be intimidated by menaces, or that she will acknowledge the superiority of any other power: but the history of the years which preceded the peace made with Russia, plainly demonstrates that that power has no more right than any other to assume a haughty tone towards France. The Emperor of the French wishes for the peace of the Continent. He has made all possible advances to re-establish it with Russia; he has spared nothing to maintain it: but with the assistance of God and his arms, he is not in a situation to fear any one.——The undersigned requests M. le Chargé-d'Affaires of Russia, to accept the assurance of his perfect consideration.——CH. MAUR. TALLEYRAND.

## FOREIGN OFFICIAL PAPER.

PAPAL ALLOCUTION.—*Allocution delivered by his Holiness the Pope to a Secret Consistory addressed on the 29th of October* 1804, *previously to his departure from Rome on his journey to France, in order to assist in the Coronation of the Emperor Napoleon.*

Venerable Brethren;—It was from this place that the Concordat was begun by us, his Majesty the Emperor of the French then First Consul; and it is from this place that we have communicated to you that joy with which the God of all comfort has caused our hearts to overflow for the happy change, or conversion to the interest of the Catholic Religion, which has been produced by that Concordat in those vast and populous regions. From that time the Holy Temples have been again opened and purified from the profanations they had endured: altars were again built, the standard of the health-bearing Cross was again raised, the true worship of God restored, the august mysteries of religion freely and publicly celebrated, lawful pastors given to the people who could labour in feeding flock. The Catholic Religion itself most happily emerged from that obscurity in which it had been buried, and placed in noon-day splendor in the midst of that renowned nation, so many souls recalled from the paths of error into the bosom of eternity, and reconciled to themselves and to their God: these considerations united, justly filled our hearts with joy and exultation which we poured out to the Lord.——That great and wonderful task not only then excited in our minds the most lively gratitude to that powerful Prince, who in establishing the Concordat, put forth all his power and authority to accomplish it; but the recollection must always incline our mind whenever the opportunity shall offer,

to prove that we are still strongly impressed with those feelings towards him.—And now the same most powerful Prince, our dearest son in Christ, Napoleon, Emperor of the French, who has deserved so well of the Catholic Religion for what he has done, has signified to us his strong desire to be anointed with the holy unction, and to receive the Imperial Crown from us, to the end that the solemn rights which are to place him in the highest rank, shall be strongly impressed with the character of religion, and call down more powerfully the benediction of Heaven.——*(To be continued.)*

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INCAPACITY OF HENRY THE SIXTH.

LETTER V.

SIR,——Glorying with just pride, as from the days of Sir John Fortescue *, we publicly have gloried, in the superiority of our own constitution; cherishing with enlightened affection that form of a national council, by which we are happily distinguished, and which grew up here, by fortune as much as by wisdom, out of the assemblies of the Three Estates, common to us, and to many of the neighbouring governments; and, looking up with veneration to the usages of that body, as the most sacred of our laws, and the surest pledge for our enjoyment of all the rest; it seems almost unaccountable, that till the middle of the last century, we did not possess a single history, which ever attempted to give a regular narrative of the proceedings in Parliament. The work then published under the title of a *Parliamentary History of England*, promises much; yet in truth, it contains little to commend, except the design. In the earlier times, including the reign of which I am writing, it affects to be derived wholly "from the *records*, the "*Parliament-rolls*, and the most reputable "of our *ancient* writers;" and much praise is bestowed on the gentlemen who carefully examined those rolls for the purpose. Of all the merits, however, which are attributed to them, I can only subscribe to that of modesty in the concealment of their names; unless you should rather be disposed to consider that as a solitary proof of good judgment. For, whoever dips but cursorily into the book, will presently be convinced, that they generally contented themselves with reading the rolls in Sir Robert Cotton's abridgment, which they copied with all its omissions, misapprehensions, and confusions, notwithstanding the † honest caution of the indefatigable and faithful Prynne, in his preface to that publication. As to the contemporary authors, with whose accounts all is asserted to have been compared, they have in reality been neglected, for succeeding chroniclers and modern historians; and the connecting matter is heaped together without much discrimination in the selection, subjected to no test of critical scrutiny, in various parts irreconcileable to itself, and still more irreconcileable to the authentic facts, which it professes to explain and illustrate. "The several hands," who are said to have compiled it, appear to have wanted one presiding mind. The whole work demands, and deserves to be revised and re-modelled by some person equal to the task. In the mean time, however, such as we have it, it is the only one, to which they who desire parliamentary information of ready access, will naturally have recourse. For this reason I have thought it expedient to say thus much here, by way of general exception against its authority hereafter: but, my present business is merely with two observations taken from other works. The one charges a disgraceful inconsistency; the other seems to ascribe, though with expressions of approbation, rather too prudent a complaisance to Parliament, at the very period, to which our inquiries are directed.

In relating the impeachment of the Duke of Suffolk, Speed had called it a most vile thing in the House of Commons, that they should charge "that as a crime now, which "they themselves had in a former Parlia-"ment consented unto and ratified." A Parliamentary History might have been expected to have exposed the futility of the censure. But it is repeated, without being adopted indeed, yet also without being confuted. The antithetical point is left to penetrate as it may, unblunted and unabated. And the remark seems in some degree, to have caught the candid and judicious Dr. Henry, who has a reflection very similar, though a little softened, where he mentions

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* See his treatise *de laudibus Legum Angliæ*, in a dialogue with his pupil, Prince Edward, son to Henry the VIth, and that, on "the difference between an absolute and "limited monarchy," intended for the instruction of Edward the IVth, in the settlement of the kingdom after the civil war.

† "Let all professors of the law, and "other studies, be sure to resort to the ori-"ginals themselves, and not rely upon the "abridgments alone, to prevent mistakes, "and errors, yea, the loss of their *reputa-*"tions," &c. &c. And he in another place points out some striking instances in that particular abridgment. Prof. to Cotton's Abridgment.

the addresses of the two Houses requesting that some reward might be bestowed on the minister for his negotiation of the King's marriage, and a truce with the French. "How different," exclaims he, "in a few "years after, were the sentiments of Parlia- "ment on these subjects!"

It might be sufficient to answer, that after three dissolutions and renovations, neither the body itself, nor indeed, the individual members who composed it, can be considered as the same ‡. In fact, of those who had agreed, or who had objected to the address approving the minister's conduct, there was but a very small proportion in that House which afterwards impeached him. If every man of them voted in his favour, their numbers would detract but little from the authority of the accusation. But, what was there, which ought to have prevented all from concurring in the articles which were sent to the Lords? The general principle is of the greatest moment. There is no wiser doctrine of our constitution, none more deserving of being steadily maintained, than the right of every Parliament to exercise its own honest judgment, unfettered by any declarations, however direct, explicit, and strong they may be; and still less by any tacit obligation to be deduced from the actions of any preceding Parliament. They who by surprise, by flattery, by extensive influence of whatever kind, by their own inexperience, their want of information, or their unsuspicious candour of mind, have been misled to repose a confidence which from the result they have discovered not to have been merited, are doubly bound in such a case, to vindicate both their country and themselves. It is the greatest aggravation of their original fault, in having suffered themslves to be made the instruments of evil, if they refuse the only reparation in their power, from a false shame of being taxed with private inconsistency. In the present instance, however, the managers of the popular party behaved with exemplary prudence and discretion. The impeachment was drawn up with care, so as not to involve the house even in a seeming contradiction. There was no point in it, which at all touched any thing contained in the former address of approbation.

Here I should dismiss this topic; but, I must do the parliamentary historians one piece of comparative justice. They might have afforded some useful information of times and places, to Sir John Fenn, who, in a paper of observations on the murder of the Duke of Suffolk, premises what he calls, "a "short sketch of the proceedings in Parlia- "ment." Unfortunately, however, preferring his own sagacious conjectures, I presume, and the genuine delectable black-letter of Stowe, to the patch-work English of all ages tacked together by our compilers, and still more to the bad French, and barbarous Latin of the original rolls, that learned editor has woven for us a pretty slight tissue of his own, in which there is not a single fact figured with tolerable accuracy. A sort of felicity in error, that surpasses common calculation, runs through all the few sentences of his account. Yet, I should probably, have passed this over in silence, had we not rather ostentatiously been told, that it was licensed by the Antiquarian Society, at one of whose meetings the paper was read, entered on their books, and thanks returned for the communication. Pope would not allow a dictionary-maker to be a judge of two words put together; and, we certainly have seen in more cases than one, that the most ingenious unriddlers of a device, and spellers of a legend on a tradesman's token, the nicest tasters of the precious rust on a Roman shield, or an old brass sconce, and ablest expounders of a well-corroded inscription about Hardyknute, cannot take into the field of their microscopes more than an inch at a time of the general history of their country; and even that is all mist and confusion.

I come now, Sir, to the second charge against our ancient Parliaments; and that, as I have intimated, is borrowed from a friend, and designed for praise. It is the remark of Rapin on the conduct of our parliaments during the latter years of Henry the VIth, that they * never attempted to swerve from *the wholesome principle of declaring for the strongest.* This certainly is but an ambiguous kind of eulogy, which in the com-

‡ There is not a single return to the Parliament of 23d H. VI. now extant, either in Prynne's Lists, or in Browne Willis's *Notitia Parliamentaria.* But, if the names in the returns of 25th H. VI. be compared with those in the lists of 28th H. VI. it will be found, that not above a fifth part of the county-members, and a still smaller proportion of the Borough-members were the same. It must be presumed, that the differences must have been greater between the Parliaments of 23d and 28th H. VI.

* Parl. His. Vol. II. p. 314, note from Rapin's History of England. Fol. edit. p. 597, relative to the first Parliament of Edward IV. There is a similar quotation before in p. 307, from Rapin, p. 385, relative to the last Parliament of Hen. VI.

mon course of things is more likely to be deserved by the worst, than by the best, Parliaments. If such prudence be once generally received as a just theme of commendation, there is some danger, that servility may become fashionable. Little incitement is wanted to make men shrink from a contention with power. They are ready enough to yield, whenever they are not prevented by shame or by principle. They do not find conviction, but an excuse, in grave maxims of prudence, and eloquent declamations on "existing circumstances." The great difficulty is to keep them steady to the faithful discharge of duties, which are attended with peril. The truth is, however, that whether the character be praise or censure, it fails a little in justness of application. Parliaments called after a victory in a civil war, when they cordially co-operate with the power to which they owe their existence, do not *declare for the strongest:* they are necessarily composed of those who form a part of that strength: they can only so speak and act consistently with their own sincere opinions, and as true representatives of their constituents; for the leaders of the vanquished party, obliged to fly and to conceal themselves for safety, must leave to their adversaries the uncontroled domination in the elections. But, as the Duke of York, till the last Parliament of Henry the VIth, brought forward no claim to the crown; as from his natural disposition, from his unfeigned tenderness towards the King's person, from his constant hope of accomplishing whatever were his views, by gentle and peaceable means, and from the uniform course of his policy, which aimed to establish his reign in the hearts of the people, whoever might occupy the throne, he only professed to take up arms in self-defence against the intrigues and violence of bad ministers, who sought his destruction, was the first in the very moment of success to proclaim his allegiance, and studied, by his subsequent moderation, to efface the remembrance of the force which he had employed; that Prince never pushed his triumphs in the field to those decisive consequences in the state, which afterwards marked the fluctuations of fortune in every battle. Even in the last Parliament at which he assisted, which was summoned after the signal overthrow of the royal army near Northampton; and, in which his interest must have been of necessity largely predominant, he suffered his claim to the crown to be debated three whole days, with the most perfect freedom of discussion. As to the former Parliaments, which more concern our present investigation, we have the most conclusive testimony, which historians should have consulted in preference to their own imaginations. Yet, I do not remember, that it has ever been noticed. It is the recorded declaration of the Parliament at Coventry, which has been truly described, as "wholly * made up of "those who were staunch friends of the "House of Lancaster;" and, it is contained in the † preamble to the bill of attainder then passed against Richard and all his adherents. They accuse him, as might be expected, of labouring craftily in several Parliaments for the diminution of the royal power and authority, but (continue they, addressing the King) "God put as well in "the hearts of your Lords, as of your true "Commons, according to their duties, to "hinder by all means any thing contrary to "your prosperity and weal, so that his ma-"licious and traiterous purpose was not "achieved."

Hume himself cannot help confessing here, that "it is impossible not to observe in "those transactions visible marks of a higher "regard to the law, and of a more fixed au-"thority enjoyed by Parliament, than has "appeared in any former period of English "history."

It is superfluous, I am sure, after this to add another word on this point. I am only afraid, that I may seem to have dwelt upon it much more at length than was necessary. But, some years since, when a claim was made on the public by His Royal Highness the Prince of Wales, for the revenues of the Dutchy of Cornwal during his minority, and some precedent or other was cited from the Parliament-rolls of that period, I recollect to have read, that it was treated by a sad man of the law, and one of very high authority too, as nothing short of a faction, sedition, and misprision of treason at least, if not absolute treason itself, to have taken even a peep of curiosity into such abominable transactions. I wished, therefore, to establish

* Parl. Hist. Vol. II. p. 292. What is quoted above, is said indeed, with reference to the list of Lords, but below in the same page follows what is rightly called, "A "strange act in favour of the Prerogative." It is "that *all such knights of any county, as "were returned to this Parliament by virtue of "the King's letters, without any other election, "should be valid.*"

† This preamble is a long narrative which would have prevented many blunders in our historians, had it been consulted; but, it never has been. It must be read with allowance for the colouring of party.

beyond dispute, that ignorance of our history is not indispensable to the character of loyalty; and that the most devoted courtier of the present day would have found himself in very good company in the least courtly Houses of Commons under Henry the VIth. My case now, I trust, is so far satisfactorily made out. I am ready to leave it, as it stands, to the sole decision of the very highest authority; that of Lord Ellenborough himself.——I am, Sir, &c. &c. &c. T. M. *Middle Temple, Nov.* 28, 1804.

P. S. Permit me to remark, that, in my last letter, there is one considerable error of the press. The word "*simple*" in p. 805, line 8, should have been printed "*ample*." My materials, are indeed, in one sense "simple;" they are such as were not difficult of access; but a very great portion of them have not yet been used. That they are "*ample*," even beyond what I may have occasion here to detail, my succeeding letters will probably indicate.

TO THE EDITOR.

SIR,——From my attachment to the county to which I belong, I feel myself obliged to your correspondent T. M. of the Middle Temple. In his last letter on the Incapacity of Henry the VIth, he has very satisfactorily in my opinion, vindicated the public spirit of our ancestors here in Norfolk, from some hasty reflexions of Sir John Fenn, who ought not to have bewrayed his own nest. There is, however, in the correspondence of the Paston family, some further evidence relating to the election of 1455, of which your correspondent does not seem to have been aware. I shall, therefore, take the liberty of pointing it out. In the third volume are to be found two, if not three, letters, which plainly relate to the same election; though the editor, even in his chronological table, has placed them at a great distance asunder. I allude to the lxth and xcvth letters, which are dated *in June*, within very few days of each other from the same place, and the latter is palpably the sequel of the former. Both are from a lawyer of the name of Jenny, then a candidate, though unsuccessful, for Norwich; and, he relates a conversation which he had in London with the Duke of Norfolk respecting the county election. He reported his canvass. The freeholders, he said, to whom he had spoken, were willing to vote for Sir Roger Chamberlayn, but not for Howard, and the reason which they assigned was, that he had not any * estate in the county, nor intercourse and acquaintance with it. Now, could any thing more strongly speak a spirit of independence than such an objection? Do you think, Sir, that every county in every part of this island would as nobly vindicate their own freedom of choice at this day? In the second letter there is a passage still more striking, and which clearly proves that such influence in the elections of Norfolk had not been customary. After telling Mr. Paston, that when the Duke gave him up, "Howard was as mad as a wild "bullock;" the writer adds his own reflexions which do him much honour. "It is "an evil *precedent*" (says he) "for the "shire, that a stranger should be chosen, "and no worship to my Lord of York, nor "my Lord of Norfolk to write for him; for "if the gentlemen of the shire will suffer "such inconvenience, in good faith the shire "shall not be called of such worship as it "hath been." Nor, is this all. There is another circumstance worthy of notice. When the Duke gave way, he is represented as earnestly insisting, that at least, Sir Thomas Todenham should not be the member, nor any one who had inclined to the Duke of Suffolk. Yet, from the whole of this part of the correspondence we learn, that Heydon who was returned, was most intimately connected with the politics of Sir Thomas Todenham, and next to him was the principal leader on that side; and, from † one passage it seems, that Calthorp also, the other member, favoured the same party, though with less violence and activity. He knew, therefore, not only that the Dukes of York and Norfolk failed, but, that persons of the description, which they were most anxious to exclude, succeeded against their utmost influence: and this was immediately after the battle of St. Albans.——I am, Sir, your constant reader and admirer.—A NORFOLK FREEHOLDER. *Thetford, Nov.* 27.

CATHOLIC CLAIMS.

*Addressed to the Right Hon. Wm. Pitt.*

SIR;—The subject on which I undertake to address you is, perhaps, as important as any that ever occupied the attention of a Briton. To a man, who has an unfeigned love for his country, it is painful to feel, and still more painful to declare, that its power, its consequence, and its greatness appear on

* His father Sir Robert was then living, I fancy, and settled at Stoke Nayland in Suffolk; a younger brother of Sir Robert's having had the Norfolk estates given to him.

† See Paston Papers, Vol. III. p. 121, compared with the former part of the letters, especially in p. 119, describing the persons who attended them at Walsingham.

the decline, and that if a radical change be not soon adopted in one part of the empire, its glory seems likely to be extinguished for ever. Whatever diversity of opinion may prevail on this part of the subject, it must be acknowledged, that either by supineness, imbecillity, or the unfortunate train of human events, we are brought to that crisis, which must prompt every mind to conceive, and every hand to execute the most efficacious plans of defence.—To protect this country from the hostile designs of a dangerous neighbour, and to secure its independence, are objects which have long engrossed your attention. But your efforts appear to me to have been directed to means, which are ill calculated to promote these desirable purposes. You certainly have not to learn, that the cheapest and most effectual defence of a nation, must arise from the spirit and unanimity of its inhabitants; and that opinion and sentiment are more powerful in this respect, than the strongest works of nature or of art. This principle is eternally true: it is one to which any politician can scarcely refuse an assent. Now, Sir, can you suppose that this desired unanimity pervades the whole empire? Can you have the assurance to tell your sovereign and the people, that Ireland, one third of the United Kingdom, is in a state of tranquillity? May not every loyal subject there say, in the language of a Roman poet, that he is walking over fires, concealed under treacherous embers,

——Incedo per ignes
Suppositos cineri doloso. Hor.

Recent events have shewn, that the fire is smothered, not extinguished; and that it may shortly burst forth with irresistible violence. The affairs of that country unquestionably demand the most prompt and delicate interposition of government; and, if a remedy be not speedily applied, the proudest bulwark of defence will be converted into an engine of destruction.—It has, for centuries past, been the crooked and dark policy of the English government, to treat Ireland, not as a part of the empire, but as a conquered country. The future historian will hardly gain credit with posterity, when he relates, that the catholics of Ireland, composing almost the whole of the natives, laboured for more than 200 years under a state of persecution, for adhering to the religion of their fathers; and were harassed with a penal code, which would disgrace the memory of a Decius or a Dioclesian; that nothing was left unattempted to keep them in a state of ignorance, by prohibiting Catholic schools at home, and by preventing, as far as possible, the education of Catholics in foreign countries; that every temptation was held forth to induce them to abandon their religious principles, and shake off every moral restraint; that sons were even encouraged to forsake their religion, and in that case were authorized to drive their injured and persecuted parents from the possession of their estates. All this and more stands upon record; and the effects of this barbarous and inhuman policy are felt at this period. But, by the liberality of more enlightened times, by the wisdom of distinguished statesmen, and the beneficence of a gracious sovereign, these evils have been, in great measure, removed.—In order to form a closer connexion with the sister kingdom, and to promote the general interests of the empire, by simplifying the operations of government, you were the minister who proposed and carried the union. In this great struggle of parties, in which you succeeded in depriving Ireland of its independence, the Catholics gave you their interest, on a condition clearly understood that they should attain, what they term, their complete emancipation. You appeared to espouse their cause, after availing yourself of their co-operation; you relinquished your situation from an inability to realise their hopes, and, as we may collect from the combined authority of two important papers before the public, one of which was written by Lord Cornwallis, the other by yourself, you stood pledged not to return to office, but on the condition of carrying into effect the claims of the Catholics. (See these two papers in Plowden's Historical Review, vol. 2, part 2, p. 944.) So far your conduct was fair, honourable, and manly;—but, Sir, after this display of honour and disinterested patriotism, by what combination of circumstances has it happened, that you have been again placed at the head of affairs amidst a total and uninterrupted silence respecting the Catholic claims? Six months have now elapsed since your return to power, and no assurance has been given, that full and substantial justice will be done to so large a part of his Majesty's subjects. Honour, duty, a regard for your own reputation, and the good faith of your country, all possible motives which can prompt human actions, call for your exertions in this business; still, no indication of your designs has been discovered. The Catholics had surely no reason to expect such treatment. You recurred to their assistance, as long as they contributed to forward your designs; you raised their expectations by a temporary shew of friendship, and now you appear to have abandoned their cause for ever. Resume, Sir, your former

spirited and manly conduct, extend to four millions of his Majesty's subjects a full participation of the benefits of the constitution, and the peace of Ireland will be secured on the firmest basis. The union, which you were so successful in promoting, will ever be, without this measure, an airy phantom, a delusive advantage. It will belie its name, it will not be an union of sentiments, dispositions, and interests, but a perpetual source of uneasiness, dissention, and discord. The great mass of the people of Ireland will be, in some measure, strangers in their own country; obliged, indeed, to contribute largely to the support of the state by the profits of their industry, but rendered incapable of enjoying the smallest advantage resulting from offices and employments. Such a situation is a species of political servitude; and to suffer one fourth of the inhabitants of the United Kingdom to remain in such a state of degradation, after raising their hopes to fairer prospects, is an action inconsistent with justice, honour, and good faith. —Your friends have recourse to a singular method of justifying your conduct. They insinuate, that difficulties arise from the inflexible resolution of a certain personage, of whom it is not possible to speak but with the utmost affection and respect. This, Sir, is a mode of defence at once ungenerous and unconstitutional. You cannot but know and feel, in a peculiar manner, that the treatment experienced by the Irish Catholics, is a transaction of the most odious nature, and consequently that all responsibility, in this particular, must rest with yourself. It is a ministerial proceeding; and, as you are minister, you must bear the whole weight of disgrace annexed to it. In fact, this defence of your friends stands refuted by your own conduct, unless you should be willing to suffer the imputation of the grossest inconsistency. After certain unsurmountable obstacles had prevented you from carrying the Catholic question, and had induced you, under that inability, to relinquish your situation, the continued existence of the same difficulties, should have prevented your return to power. But, as you are again in possession of the first dignities of the state, what conclusion are we to draw, but that honour and good faith should lead you, without delay, to comply with your engagements to the Catholics. The fact is certain, the inference is inevitable.—But, Sir, suffer me to observe, that not only your own honour, but the credit and reputation of your country are intimately concerned in this transaction. As minister of a great and honourable nation, you assured the Irish Catholics of your willingness to promote their cause; you consequently received their support on a critical occasion; and if you should neglect to pay the just and natural equivalent for their services, the good faith of the country will stand impeached. At the time that I am writing this letter, the enemy is hunting our agents from the neutral states on the continent, and employing the most insidious arts to blacken and vilify the British name and British faith throughout Europe. Your conduct towards Ireland will afford an excellent topic for the malicious oratory of an insidious foe. They will tell the people of Ireland, they have probably said already in very forcible language: "How can you repose any farther "confidence in a mercenary government by "whom you have been so often deceived? "At the union, they promised you a full "participation of the privileges of the British constitution; a British minister then "succeeded to the highest offices of the "state, on the express condition of debarring you from all that had been promised; "to complete the farce, a Lord High Chancellor of Ireland, in a series of letters to a "Catholic peer, declared your religion incompatible with your civil allegiance. "This language has never been disavowed "by the British government, and the noble man, who used it, still retains his station. *Crimine ab uno disce omnes.*"—Such has unquestionably been the language of French agents in Ireland; and may the number of those, whom they have perverted from their indispensable duty of allegiance, be comparatively small! But, Sir, I solemnly intreat and beseech you to remove, as speedily as possible, every occasion by which so foul an imputation can, with any appearance of truth, be produced.——A very small degree of reflexion, will enable a man of your political sagacity and experience, to see that the benefit accruing to the Catholics from the measure in question, is not so considerable as the advantages of security which will be reaped by the whole British empire. As long as Ireland continues in its present distracted state, it will be perpetually the theatre of hostile intrigues and machinations. Of this, no doubt can be entertained, as every event which has yet taken place in that country, fully demonstrates the multiplied effects of French influence. But, once admit all to the fullest benefits of the constitution, and you will completely annihilate the hopes of the enemy by removing the cause of dissension and discord: you will diffuse a general alacrity and vigour through the whole mass of the people, for an

will be united by one common bond of interest; you will permanently secure the attachment of Ireland to a form of government, perhaps the most perfect yet devised by the accumulated wisdom of ages.—That we have greater dangers to encounter than this country ever experienced in former ages, is a fact which admits of no doubt. A military nation, established in the heart of Europe, composing a population of more than thirty millions, and commanding almost an equal number of enslaved dependents in the surrounding countries; a nation either actually, or equivalently, possessing a line of coast, of which history has given no example since the flourishing periods of the Roman empire; a nation at once daring, adventurous, insidious and warlike, ruled by a tyrant in the flower of youth, who knows no law but that of force, who appears determined to enslave every country to which he can carry the terror of his arms: such a nation presents to our astonished view a spectacle which our ancestors never beheld. The distinguished statesmen in the days of King William, and many eminent men since that period, always considered the security of the country as depending on three great points; the independence of Holland; a close union with Continental Allies; and the maintenance of the Liberty of Europe. "*These*" says Mr. Burke, speaking of the sentiments entertained in the reign of King William, "*these were the three immoveable pillars of the safety and greatness of England, as they are now, and as they must ever be, to the end of time.*" (Mr. Burke's Letters on the Regicide Peace, p. 87.)—But what measures are to be now adopted for the safety of the empire, when Holland is but a province wholly dependent on France, when we have no ally on the continent capable of checking the ambition of the common enemy, and, when the liberty of Europe is no more? Let us provide for our security by composing all differences at home; let us all have but one common interest: let us be no more a divided people, and we may still retain our liberty and independence. The chains of the Catholics have been loosened by the humanity of his Majesty's government; let them be broken, and thrown aside. Let us present to astonished and dismayed Europe, the noble spectacle of sixteen millions of people, united in one common interest, and animated by a generous resolution of maintaining their liberties and independence, against the most execrable tyranny that was ever suffered to infest mankind. If this can be effected, I think, Sir, you will provide a more powerful bulwark against the ferocious enemy, with whom we have to contend, than by fortifying the metropolis, or raising batteries on the coast. You will possess, not that precarious security, which arises from the mouldering and perishable works of art, but that which results from the invincible spirit of a free and united people. Confidence would thus be infused into all classes of the community, and the hopes of the enemy would in the same proportion decrease, and be finally extinguished. We might then, notwithstanding many unfavourable symptoms of decline at home, and the general degradation of surrounding nations, cherish the fond hope of transmitting our independence unimpaired to our posterity, and of verifying the beautiful and patriotic lines of the poet,

> The nations not so blest as thee,
> Shall, in their turns, to tyrants fall,
> Whilst Thou shalt flourish great and free,
> The dread and envy of them all.

THE BRITISH OBSERVER.*

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STATE OF IRELAND.—LETTER IV.

SIR,——Having shewn in my two last letters, that the admission of the Irish Catholics into Parliament, is not inconsistent with the principles or safety of the constitution; I now shall endeavour to prove it to be consistent with the establishment of the Church of England. As the measures of the Catholic body which might endanger this establishment, must, as in the case of the constitution, be measures which they will be able to carry in Parliament, it is very evident that the arguments which have already demonstrated the impracticability of their forming such a party in either the House of Commons, or House of Lords, as to be able to injure the constitution, are applicable to my present purpose. The Church of England is always described, "as by law established." This is the term made use of in the coronation oath; it is therefore, manifest that the establishment cannot be altered, except by the repeal of certain laws. If then, the admission of the Catholics into Parliament does not give them the means of effecting this repeal, the conclusion is self-evident, that their admission is not inconsistent with the established religion. Though my argument is very short, it loses nothing of its force by being so. Arguments are sound in proportion as the several deductions are the result of premises, which are them-

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* For the other communications of this writer, see Register, Vol. V. pp. 385, 463, 662, 737, 859, 894.

selves sound. But, as it may be said, that notwithstanding the power of the Catholics in Parliament, may be unequal to the task of rendering their own religion the religion of these realms, this power will certainly increase, because the Catholics will never cease to gain converts, and augment their party, or, even if they should fail in pursuing that course, that they will adopt other plans, and resist the authority of Parliament, promoting a republican form of government. It is requisite to say something in anticipation of these objections. They appear to me to be the only objections that the most clouded imaginations could suggest, and, as there will not be wanting the activity of every description of opposition to the claims of the Catholics, a detailed description of them may be of service; and, I hope, will not be found uninteresting. As to the powers of the Catholics, for the sake of argument, we will admit their success in passing a bill to repeal the laws which establish the Church of England. Could it pass into a law? No, the laws of the realm provide against a possible conjuncture of a prince sitting on the throne, who professes the Catholic religion; and the coronation oath binds every prince, who is, or may become our King, to refuse his consent to any law which has for its object the repeal of those statutes by which the Church of England is established. But to return to our subject, it is manifest that as long as our King must be a Protestant, and the coronation oath a qualification of admission to the throne; so long it is utterly impossible for the Catholics to carry any measure that can repeal the laws for establishing our religion; and, consequently, that can endanger its existence. To those who argue that the Catholics are jacobins and republicans, and only wish to gain admittance into Parliament, or only make the exclusion from it a topic of complaint, in order to promote their levelling projects, and the empire of their church, for such must be the inconstancy of those reasoners, that these jacobins in politics must be tyrants in religion; it must be replied, that the conduct of the Catholics belies the supposition that they approve of republican doctrines. They are as a body, notorious for their loyalty to the dynasty of the House of Hanover. Facts that every one knows, and no one can object to prove this assertion. In Ireland they adopted the cause of the Protestant ascendency in Church and State, in two rebellions against the House of Hanover, which promised them the ascendency of the Catholic faith. In the American war they armed to preserve the possession of their country to Great Britain, when the same unjust policy which had always been acted upon in respect to Ireland, had roused the people of America to action, and obliged the minister to draw all the British forces out of Ireland. At the Union, I assert it, and I do so without fear of contradiction, they supported the measure when all the Protestants with the exception of some few, who were sufficient to form a corrupt majority in Parliament, were infuriate against the measure, and the success of it was depending on the line of conduct which the Catholics would adopt. Is there any man living so great a bigot, or so great a knave, as to deny that their refusal to join their Protestant brethren, and their decision to promote the Union, are positive proofs of the loyalty of the Catholics of Ireland to the King, and the connexion with Great Britain. I do not impute disloyalty to the Protestants for adopting another line of conduct, such an imputation could have no foundation, because they were loyal to their constitution. Nor, when I mention the Catholics, do I speak of the wretched ignorant, and semibarbarians of that body. Not that part of them which are led by their passions to express their sentiments by the use of pikes; but that part which possess sound and liberal understanding, and express their sentiments by their decisions on all public questions. The facts of the rebellions of the Pretender, the Volunteers, and the Union, stand recorded in the page of our history, and afford the most emphatic illustration of the absurdity of those blind politicians, who ruminate in the darkness of past ages, or in the illumed aberrations of the present, to asperse with odium the character and the claims of their Catholic fellow subjects. But, even if we again, for the sake of argument, admit that the Catholics under the circumstances of being excluded from the constitution, and of their religion being insulted, are the republicans which some persons represent them to be, and so bigoted as to require nothing short of the re-establishment of their Church, would not the very boon of free admission into the possession of equal rights with their Protestant brethren, completely alter their political sentiments, and teach them the policy of tolerating the religious establishments of long standing, and held in great veneration. Will it not remove those feelings of jealousy with which, if they have any feelings, they must contrast the pomp and the wealth of the Protestant Episcopacy with the poverty of their own. As it is not consistent with common sense to conclude that the relief from political disabilities will encourage the support, and repress the oppugnancy of this body, to

the views and happiness of the Protestants in regard to religious matters. Having, as I trust, fully supported my position, that the admission of the Catholics into Parliament, is not inconsistent with the Protestant reformed religion as by law established, I cannot quit the subject without animadverting on the rumours which have prevailed relative to the objection which the coronation oath has suggested. From the circumstances which have occurred, either the reasons for Mr Pitt's resignation in 1801, were unfounded, or the objection was certainly made, for Mr. Pitt was too powerful both in Parliament and in the Cabinet,* to have found reasons to *postpone his favourite measure* upon any other grounds than the objection abovementioned. If then, we may be induced to infer that such an objection was made, coming from the quarter it does, and originating in the conscientious consideration of the sacredness of an oath, it demands respect and admiration, however unfounded or injurious it may prove in the result.——"The "Protestant reformed religion as by law es- "blished." In discussing the nature of this oath, there must be kept in view, first the circumstances under which it was framed; and, secondly, the expectation that may be said to have been formed of the conduct of his Majesty, as one of the contracting parties by Parliament as the other. For certainly, the object of the oath can best be explained by the circumstances that occasioned it; and his Majesty will act according to it, if he fulfils the expectations, which on taking it he encouraged those to entertain who received it of him. In regard to the time when the present coronation oath was first demanded of an English Prince, it would appear that it was founded upon two considerations; first, the conduct of James in attempting to establish the Catholic religion in defiance of Parliament; and, secondly, the preventing of the repeal of the laws for establishing the Protestant religion, should even Parliament require it. It is unnecessary to bring forward the several facts which proved the intention of James by force of his prerogative to establish the Catholic Church. He did, in truth, actually do so in Ireland, and his public conduct in favour of the Catholics in that country, was made a charge of accusation against him as to his intentions in this. How reasonable, therefore, was it for the Parliament on this King's abdication, to frame an oath to prevent any future abuse of the royal prerogative. This view alone of the question would be sufficient to remove all doubts, in regard to the difficulties attending the constitution of the oath, and affords a proof that the object of our ancestors was to control the King in his executive, not in his legislative authority. But, supposing this explanation not to be correct, which, Mr. Cobbett, I am induced to think so, that it could enter into the mind of Parliament to impose a necessity on the part of the King to obstruct the will of Parliament, by refusing his assent to the bills which they might pass; in what cases, and under what circumstances, was the King to do that which was in every respect inconsistent with the principles though not the letter of the constitution? It was only in those cases in which the laws for establishing the Protestant religion were concerned, and under those circumstances in which an attempt was apprehended of the Catholics to restore their hierarchy.—Would then, the assent of his Majesty to a bill for admitting the Catholics to sit in Parliament, either be a repeal directly or indirectly of those laws or any of them by which the Church of England is established. Or do there exist any reasons for suspecting in times like these, when the Pope like a beggar in a pass cart, is transferred from St. Peter's to Notre Dame, to anoint an Atheistical Mahommetan Catholic Usurper, that any attempt is likely to be made, or could be successful on the part of the Catholics to establish their religion? Whether, therefore, the oath is considered as it binds the King as to his executive or legislative character, it is equally manifest that his act of assenting to the admission of the Catholic claims would not be in the least degree derogatory with the interest, or even the letter of it. Let us now examine this oath according to the established principles of moral philosophy. It is laid down, that in cases of promise between two parties, the person who promises fulfils his duty, if he does every thing that is requisite to meet the expectations which his engagement has excited. The parties to the coronation oath are the King and the Parliament. Did then the Parliament expect that the King in taking the oath, bound himself not to grant to his Catholic subjects the franchise of sitting in Parliament. Or, did the King himself feel that his engagements were to this extent? It is very evident, that neither the King intended to keep them excluded, nor that the Parliament expected that he had undertaken to

* Mr. Pitt, Duke of Portland, Lord Chatham, Lord Spencer, Lord Grenville, and Mr. Dundas, the Cabinet is composed of 11 persons.

do so. The concessions already made to the Catholics in Ireland, prove that the difficulties which have flowed from the oath are of modern date. But, even if the King had specifically promised Parliament at their request, not to make concessions to the Catholics, this promise would be absolved if Parliament themselves proposed the concessions for his Majesty's ratification. Thus, in whatever point of view this oath is contemplated, whether as affecting the prerogative of the King as independent of Parliament, or his prerogative as acting as a component part of the legislature; or whether, as having excited expectations of a particularly cogent description, it has the appearance of being of such a nature as not to form any reasonable impediment to the wished-for and necessary measure of Catholic emancipation. It is so important a topic as standing in the way of those measures which alone are best calculated to conciliate the affection of so large a portion of his Majesty's subjects to the support of his Majesty's throne, and the connexion with Great Britain, that it becomes the duty of every one who can honestly construe the coronation oath in favour of the Catholics, to make public his opinion, and the reasons for it, in order that the repeated discussion of the subject may lead to such a final judgment upon it, that may either remove the difficulties by promoting a change of opinion, or by contributing to such legislative alterations in regard to it, as may prevent similar difficulties in future times. Z.

*Liverpool, Nov.* 19, 1804.

## REPEAL OF THE CORPORATION AND TEST ACTS.

### LETTER II.

(*For Letter I. see p.* 810)

SIR,——In pursuance of my promise, I now send you a few reflections, which have occurred to me, on the second objection, viz. The danger of violating one of the articles of the Union between England and Scotland, expressly declared to be "a fundamental and essential article, and so to "be held in all time coming," and the reasons for which I deem the repeal of the Corporation and Test Acts to be a constitutional measure.——Whatever advances the purposes for which Parliament assembles, and which are, as we learn from the antient writs of summons, "for the welfare of the King, the prosperity of the "State, the defence of the Kingdom, and "the honour of the Church, and for the "redress of divers grievances in general, "and divers mischiefs in particular"—must be allowed to be constitutional. Whatever tends to strengthen the Empire, and establish the union of his Majesty's dominions, must be so advantageous as to require all matters of less importance to give way to the obtaining such a desideratum. It is generally known that grievances exist in Ireland, the redress of which it is as universally believed, could be procured by the repeal of the Corporation and Test Acts. Such repeal would throw open the doors of the Cabinet and Senate to the Catholic subjects of eminence in Ireland; to many of those loyal and powerful individuals, who, by the removal of the present restrictions, might assist towards the welfare of the Sovereign and the security of the Constitution, and towards the accomplishment of the excellent purposes proposed by the Union of Ireland with Great Britain; and from these premises I conclude the repeal to be constitutional. But it is said, by such a measure the fundamental and essential article of the Union between England and Scotland would be violated, because the forms of Protestant and Presbyterian religion are established thereby. To this I answer, if an act should be enacted for the purpose of removing the difficulties of the Catholics, as far as those difficulties depend on the Corporation and Test Acts, might not such act consistently contain a clause, confirming the modes of religion established in the respective parts of the empire? Yet, should that fundamental and essential *article* be disturbed, convenience, policy, and justice requiring such disturbance, in order more fully to carry into execution, the intent and design of the *acts* (which contain the article) namely, the security and happiness of the Incorporated Countries, and the improvement of their Constitution, where would be the violation any more than that of every act imposing a tax on part of our property, which is to be paid for the security of the remainder? Or, where would be the violation in *sacrificing* one *section* which appears inconsistent with the general view of the whole act of Parliament? Why should the Legislature be denied the power of altering part of the Constitution, if even that were necessary, since it has been allowed the competency of altering the whole, and even of destroying itself? Such article, then, if it prevents the redress of the grievances suffered in Ireland, and thereby retards the security of the Empire, must be considered a matter of smaller importance than, and should give way to a measure of greater and more beneficial extent, namely, the repeal of the

acts in question and the prosperity of the Constitution of the united dominions. Again, from the law of nations, and the justice of considering as most important a religion (not containing doctrines prejudicial to Morality or the State) adopted by the majority of a country under his Majesty's protection, I might argue, that the repeal would be constitutional and advantageous, and, following my former mode of reasoning, I should conclude, there was no violation committed against the fundamental and essential article before mentioned, by such repeal. But I could add nothing to the Archdeacon Paley's excellent Chapter on Religious Establishments and Toleration (2d vol. of his Philosophy), which points out the necessity of exclusion in some cases, and the advantages of a compleat toleration in all.——With your permission, I will now advert to the third objection, namely, the fear of re-establishing Popery or Presbyterianism within his Majesty's dominions. The time in which the Corporation and Test Acts were enacted, sufficiently declare the purposes of such laws, and there is no doubt that individuals were not then excluded from offices of influence and trust, so much on account of their religious tenets as for their political opinions; but the enemies of the State being generally known by their dissent from the established church, all dissenters were for that reason excluded.——Applying, therefore, the purposes of those laws to the present times, we should consider, whether by a repeal we should defeat them, and whether (in the words of the act of 13 Ch. II.) "the succession of members in Corporations will *not* probably be perpetuated in "the hands of persons well affected to his "Majesty and the Established Government." As to Presbyterians, no thought of alarm is suggested from that quarter; and the Union of England and Scotland establishing their form of religion has not produced any formidable enemies from that sect. And as to the Catholics, all ground of apprehension must be considerably, if not entirely, removed by their declarations accurately transcribed in a letter of Z's which appeared in your Register of the 10th of last month. However, much innovation must be dreaded in all matters of state, particularly in those which regard religion. Yet, from the expectation of further indulgence the Catholics have reason to entertain, from the present state of the Empire, from the great probability of animosities ceasing and the spirit of rebellion dying, if the promised satisfaction be granted to the Irish, there is so much to hope for and so little to fear, in the present case, that I must presume the repeal of the prohibitory acts will surmount all difficulties, will promote the happiness of his Majesty's people, and the prosperity of the empire, and advance the honour of God and his holy church.—With great respect, I remain, Sir, yours, &c.—BRITANNICUS.

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SIR JAMES CRAUFURD.

SIR,—However I may differ from you in opinion on the subject relating to which I am now about to address you, I can but feel a degree of satisfaction in knowing, that that subject should have been admitted by you, to be of "considerable public if not political importance." If, Sir, the escape of Sir James Craufurd had been a question, important in its result only to the welfare of the individuals who had abandoned their native country to find an abode in the bosom of the most inveterate of her enemies, you would not have been troubled with the perusal of these lines; but viewing as I must that question extending itself in some degree over the honour of the country, and involving in its immediate, as well as in its remote consequences, the very existence of those laws and principles which by the common consent of nations in any degree advanced in civilization have for many ages been made the engines of mitigation to the ravages of war, I can but consider it as one which ought at least to be seriously and minutely investigated. The engagement of Sir James inserted in your Register, must as you say, while it remains uncontradicted, be taken for granted; and I fully agree with you, in the preliminary acknowledgment you have made, that "as a gentleman and a servant of the "King he must look strict justice in the face, "and if she acquit him not, he must be con-"demned of a breach of parole," than which you have truly declared "nothing could be "more dishonourable;" and you might have added, when protected and encouraged, more important at any period, but particularly at the eventful crisis in which we live, to the interests of humanity and the alleviation of the calamities of contending nations.——Before I proceed farther in my investigation, I feel myself called upon to inquire what inference you would draw when you affirm, "considering Sir James's "conduct as a question of public law, em-"bracing his obligations towards the French "and towards his own country, there would "be great difficulty in coming to a decision "if his own government had not already

"settled the point." The natural supposition certainly is, that you would allude to the circumstances of the detention; but, laying aside the declarations of Lord Hawkesbury, I really confess myself unable to discover what reference can therefrom be brought to bear upon the subject before us. The English residents were detained not individually as men, but collectively as subjects of Great-Britain; and if this nation had not declared their detention to be contrary to the law of nations, its silence must have been considered as a tacit admission that they were in every sense of the word prisoners of war. Public ministers are, Sir, as you have yourself asserted, the only channels through which nations can either speak or be addressed, therefore their individual complaints could have availed them nothing. The government of their own country had admitted them to be prisoners, and as such they must have been bound to regard themselves. It may however be, that you would refer this "difficulty of coming to a de-"cision" to the situation of prisoners of war in general, but after having explicitly declared that nothing can be more dishonourable than a breach of parole, I can scarcely bring myself to believe, that such can be the basis on which you would rest your argument; and as the limits even of this particular case may extend to some length of discussion, I will not at present enter upon that subject. ——The hinge of the argument turns, Sir, upon this question; whether the official assertion of a public minister of one belligerent nation, that its subjects are unjustly detained prisoners of war by another, is a sufficient justification for a breach of parole; that is, in this case, upon the influence to be attached to the bare *ipse dixit* of Lord Hawkesbury; you exclaim, God forbid, you should take upon you to decide between his lordship and the French government; but you seem to have forgotten, that when you have become the advocate of those who have previously made that decision, and acted upon it as the rule of their conduct, you have already laid low your former animosities, and enlisted yourself the volunteer under the triumphant banner of your hero of Amiens. The following is the substance of the argument you have advanced; "that "the minister for foreign affairs in England "having declared the government of France "did not act according to the law of na-"tions, that government, and, as a neces-"sary conclusion, the whole French nation, "are in this particular instance to be re-"garded as nothing better than banditti." Having, as you conceive, established this the major of your proposition, you proceed for a minor to affirm, "that there are few persons "who, if seized by banditti, would scruple "to tender them a promise of any sort to get "out of their power;" thereby, and from the context, I apprehend meaning that promises made to banditti are not to be considered as binding; and from these two syllogisms, (having however previously proved that the duties of a husband and a father to his family in England were, upon a question of feeling, to be regarded as infinitely preferable to any obligation that could arise from the situation of his fellow prisoners in France,) you come to your conclusion, namely, that the conduct of Sir James Craufurd, supposing the engagements to exist, is justifiable.——As to the minor of your proposition, that promises made to banditti are not to be considered as binding, I readily admit the conclusion; and though the paths by which we arrive at this same point do most essentially differ, I certainly should not trouble you with a more metaphysical deduction, if that deduction did not enable me to shew the fallacy of the assertions upon which you have grounded the major of your proposition, viz. that the French government ought, in this particular instance, to be considered as nothing better than banditti; and, of course, inasmuch as we are able to be treated as such. I will premise with an author*, whose sentiments are sometimes consonant to your own, that promises are to be interpreted in the sense in which they are received by the promisee; that the obligation to perform them arises from the confidence mankind repose in them; and that that obligation is taken away when the performance is illegal, or when contradicted by a prior promise. The sentiments of this writer upon our present subject are, however, so vague and indeterminate, that it is impossible to come to any decision from them. But, Sir, a better ore may be extracted from the rich though ill digested mine of Grotius†, illumined as are the words of that discerning writer by the reflexions of the father of ethical and political science. "Ego om-"nino illorum accedo sententiæ, qui exist-"mant, sepositâ lege civili, quæ obliga-"tionem potest tollere aut minuere, eum "qui metu promisit aliquid obligari: quia "consensus hic adfuit, nec conditionalis, "ut modo in errante dicebamus, sed abso-"lutus. Nam, ut rectè ab Aristotele tra-"ditum est, qui naufragii metu res suas jac-

* Dr. Paley.—† Lib. ii. Tit. vii. § 2 and 3.

" tat, vellet res servare, sub conditione si " naufragium non immineret, at absolutè " vult res perdere, spectatâ scilicet temporis " ac loci circumstantiâ." He proceeds, in the next paragraph, to state that the promissee is morally bound to release the promissor from his obligation: " Non quod " ineficax fuerit promissis, sed ob damnum " injuria datum." This does not, however, apply, to the present case; neither the robber has released the object of his injustice, nor the French government their declared to be lawful captive; the obligation, therefore, as well to the one as to the other, remains in full force. Grotius, in the following section, adds: " Materiam promissi " quod attinet, eam oportet esse, aut esse " posse in jure promittentis, ut promissum " sit efficax. Quare primum non valent " promissa facti per se illiciti; quia ad illa " nemo jus habet, nec potest habere. At " promissio, ut supra diximus, vim accipit " ex jure promittentis, nec ultra extenditur. Agesilaus de promisso interpellatus respondit *καὶ δῆτα, ἐὰν ἐπὶ δικαίοις, εἰ δὲ μὴ ἔλεξα μεν, ὡμολόγησα δὲ οὐ.*"— The offences of banditti are criminal, not as they concern the individuals attacked, but as they are injurious to the community at large; as they militate against the primary object of the existence of civil society, protection from violence; against the bond which cements the society together, property; and thereby against the sovereign power of the state, which either has or must be supposed to have been established by the common consent at some remote period; in England, as the words are, in contempt of our Lord the King, and his laws, and against the peace of our said Lord the King, his crown and dignity. Here, then, it is a direct interference with the first of all moral duties, the duty to the state; for no man, taking such a view of the case, can make a promise or other compact with a robber, or any other public offender; because he cannot enter into a state of peace with a man, with whom, without violating the greatest of all human duties, he can, as a member of the community, never put himself out of a state of war. On the principle, therefore, that a posterior cannot controvert a prior obligation, but upon that only, I agree with you, that promises made to banditti are not to be considered as binding. But, without the prior obligation to the state, such a promise must be valid; because, as Grotius argues, it is agreed to, not conditionally, but absolutely; and the banditti have a confidence in the obligation, or they would not be at the trouble to exact it. But where is the violation of the municipal laws of one nation by another, that can place the latter in the situation of banditti? and where, then, the prior obligation that can arise to the parole of a *declared* prisoner of war. Are the edicts of the government of his own country or the assertions of that to which he is a captive, be they ever so unjust, (if the interpretations of the law of nations will allow me the use of that expression), to determine his conduct. An eminent *writer on public law, and whom you have introduced among us in the garb of your native language, has, with every other author on the same subject who has gone before him, been obliged to bring his proof of the existence of a positive law of nations to this point, that " in general all nations give a " certain degree of attention to the customs " admitted by others." But supposing one nation to withdraw this consent, who is to determine the injury, and what possible remedy can be had but retaliation as far as that is in your power. The complaints of Lord Hawkesbury cannot, but as they may influence other nations to make a common cause in the war, and the extent of that influence I should be sorry to presume to trace, be even of the value of the paper upon which they are written. To what tribunal does he appeal? Nations, Sir, you well know admit of but one, and that is the tribunal of the strongest sword. It must therefore be the assertions of the government to which he is a captive that are to determine the conduct of a prisoner of war. He holds his life but conditionally, and to every thing but his honour, his integrity, and those duties of allegiance which can on earth never be lost or abandoned he must consider himself as dead. The short but beautifully expressive sentiment of the captive monarch† of France to his mother the Queen Regent, after the battle of Pavia, you no doubt remember: " Madame, tout " est perdu, hormis l'honneur." And, Sir, the prisoner of war who, dreading the shipwreck of captivity, throws overboard and abandons to the fury of the waves his cargo of honour and integrity would, I doubt not, be willing to preserve it, si naufragium non immineret, an absoluté vult res perdere, spectatâ s-cilicet temporis ac locis circumstantiâ. I might, Sir, enter farther into the monstrous idea of considering thirty millions of men as banditti, but what I have already said is sufficient for my purpose. I have proved they could not be treated as such in this particular case, and of course that your

* Martens. † Francis I.

conclusion falls to the ground. But, Sir, though upon every principle of argument I am obliged to consider the engagement in your Register to be in existence; yet, looking back to the station this gentleman once held, even degraded as that sacred character has publicly been at Munich, I will not allow myself to believe it can ever personally fall so low. It must, Sir, be a forgery of the French government to answer its own detestable purposes, to degrade and vilify the British character, and to enable it to invade still farther the rights and privileges of neutral nations. To contradict it is a duty Sir James Craufurd owes to his own reputation, and to the honour of his insulted country; and a duty in which that country hopes and trusts she will not be disappointed. I remain, Sir, yours, &c.—REGULUS.——

*London, 20th Nov.* 1804.

## LETTER II.

*(See the 1st in p. 545 et seq.)*

### EFFECTS OF PAPER-MONEY IN TIMES OF SCARCITY.

SIR,——Various avocations have prevented me from answering you so soon as I intended. I have now read very attentively your remarks upon the letter which I sent you, and, as I do not think that the truth of the main position, for which I contend, is affected by the arguments which you urge against it; I shall, with your indulgence, submit to you a few observations on the topics which have been incidentally involved in the discussion, and I shall then state to you my reasons for still differing with you in opinion.——I observe, that I have mistaken Mr. Howison's meaning; which, I assure you is not owing to any carelessness of mine, nor to the defect of incorrect punctuation which you point out, but is entirely imputable to the inaccuracy and obscurity of his expressions, and to the insidious construction of the sentence. When commercial confidence is high, and when credit can be obtained by men possessed of no capital, then, it seems the paper money is in a fictitious state, and the depreciation of money means in the new nomenclature of political economy, a currency constantly depreciating. To me the expressions conveyed a meaning totally different; and, I still think, that the fictitious state of paper money, though in any sense not very intelligible, is more applicable to a depreciated state of the currency, than to the imprudent investiture of loans, or to the creation of fictitious capital. Other instances of faulty expression might be pointed out, but as it is a matter of small importance, whether Mr. Howison's stile be perspicuous or obscure, I decline pursuing the subject farther.——You observe, that in commenting upon the extracts from Mr. Howison's work, I do not seem to have perceived, that in passing through your hands, the positions of that gentleman received, as to the detail, some degree of qualification; and afterwards, in p. 556, you say, that it is evident that the article of the Register, when fairly considered as a whole, did not tend to encourage the notion of any thing more than a transitory influence on the price of corn. I certainly did not perceive, that Mr. Howison's positions received any qualifications in passing through your hands, for you said that the principle was laid down in a manner so satisfactory to your mind, that you was induced to believe that those who had not perused the pamphlet, would thank you for the extract you was about to make from it. Several of your remarks did seem indeed, at variance with Mr. Howison's opinions; but there was no direct qualification even of the most intemperate of his expressions, and although in your reply to my letter, you complain that it is rather cruel in me to pour argument upon argument upon you, to prove that it is impossible for the corn dealers to raise the price of corn as high as they please by the assistance of discounts; yet, in the passage you quote from Mr. Howison, it is affirmed in the most unqualified manner, that "any means which enable the possessors of such commodities (articles of necessity) in times of scarcity, to with-hold the articles from market, enable him to raise the price just as high as he may choose, or as the last shilling of the user can reach." You object to the expression, "unfair means," as applied to the operation of a paper currency on the price of provisions, and refer me to page 309 and 310 of your Register, where I find many judicious observations; but, after reading that passage in which you observe of the paper-money system, that it has set the staff of life upon the cast of the dye, I did not think that you would object to the term, unfair means, by which, however, I meant no more than that the price was raised above its natural level by the influence of capital. After reviewing the whole of your observations, and considering them as they are explained in your reply to my letter, I cannot help thinking, that the quotation from Mr. Howison, not only tends to give a false impression of your opinions, but leads to consequences which had at first escaped your observation, and, I have no doubt that the subject would have been much better elucidated, had you expressed your thoughts in your own vigorous

and perspicuous language. Then, indeed, your remarks might have been considered as a whole, of which the component parts would have amply harmonised; but, when you have recourse to quotations, which you are forced to clog with qualifications, not only are your own opinions entangled with those of others, but instead of a consistent whole, we find "several contradictory principles reluctantly and irreconcileably brought and held "together.... to claw and bite each other to "their mutual destruction."——Your opinions as they are now explained by you, are limited by distinct qualifications; but, as I think the principle on which they are founded, in whatever manner it may be qualified, is completely untenable, I shall shortly consider the arguments which you have advanced in its defence and least you should think me unreasonably scrupulous as to the proof which I would require, I must inform you, that as the proposition is not intuitive, it ought to be either demonstrated from elementary principles, or established by a reference to facts. If the proof on which you have grounded it be examined, it will be found to be radically defective, inasmuch as the position which ought to be proved is taken for granted. The substance of your argument seems to be, that as corn, even where there is neither discounting nor paper currency, can be kept back from the consumer by means of capital, on the prospect of a scarcity, it follows that discounting, by adding to the active capital of the corn-merchants, increases their power of withholding corn from the market. It is thus expressed in your own words: "If then, all active ca"pital does, in proportion to its amount, in"duce and enable the possessor to keep back "corn from the market in times of scarcity "or approaching scarcity; and, if the dis"counting of bills, unchecked by a due re"ference to capital accumulated, greatly and "instantaneously adds to the active capital; "if these two positions are granted, and, I "think they will not be denied; it follows "of course, that, by means of discounting "bills, corn-dealers are induced and enabled "to keep corn back from the market, in "those seasons when corn becomes an object "of speculation." The first position on which the whole of your reasoning is grounded, I do not admit, nor have you attempted to prove it. You have another passage to the following effect. "Were there no discount"ing at all, and no paper-money, a prospect "or even rumour of scarcity of any article, "would cause such article to be, in some "degree kept back from the consumer; "but then, that degree, which must bear a "due proportion to the real capital of the "possessors of the article, would never be "so great as to amount to an evil. If the "withholding here spoken of be allowed to "be practicable, &c." But, I do not allow it to be practicable; I deny that the corn-merchants can withhold corn from the corn-market, so as to raise the price; that all the corn not destined for immediate consumption must be withheld from the market till it be required, seems to be almost a self-evident proposition; as the consumption is gradual, a very great stock must constantly be kept on hand; but, it does by no means follow that the necessary supplies of the corn market can ever be kept back so as to raise the price. When the price rises, there must always exist another cause unconnected with capital or paper currency, and perfectly adequate to produce the whole of the effect which you partly trace to a different source. A short consideration of the general principles by which the corn trade is regulated, will confirm the truth of these observations. ——I intended at first to point out at length the different operations, which the various branches of the capital employed in the corn trade, are by the necessary constitution of things appointed to perform. But, as a full exposition of this part of the subject is not essentially necessary to the present question, I shall only observe, that the business of the corn merchant seems to be to convey supplies to the market as they are needed, and to replace with the produce of his sales the capital of the farmer. For this purpose, it does not appear to be necessary that any great proportion of the supply of the year should ever be in the corn-merchants hands; on the contrary, the quantity engrossed by them, will naturally be diminished as low as they find consistent with the regular supply of the market; in this way, the smallest possible quantity of capital will be required, and in every trade it is evident that the quantity of capital will soon adjust itself with the greatest nicety to the functions which it is destined to perform. If too great a quantity of capital were attracted to the corn-trade one year, it would be thrown out at the end of the season, and never would return. The author of the Wealth of Nations very justly observes, that it is the interest both of the corn-merchants and of the consumers, that the daily, weekly, and monthly consumption of corn, should be proportioned as exactly as possible to the supply of the season. It is evident, therefore, that that price which would regulate the consumption of a day, week, or month, in exact proportion to that of a whole year, must be considered as the

natural price, as that point to which the price constantly tends, to which amid all its fluctuations it gravitates as to a "centre of continuance and repose." When it falls below this, its natural point of rest, it is again brought back to it by an increase of demand occasioned by a too rapid consumption; when it rises above it, consumption is checked, the demand decreases, and the price naturally falls.——It will be found on considering the subject, that all the variations of price which can possibly occur, are referable to the same general principles; and that, as corn never can sink below its natural level for want of money, so no command of capital can ever have the slightest influence in effecting a higher rise of price than would otherwise happen through the operations of obvious causes. It is evident that an alarm of scarcity, whether well or ill founded must raise the price, and that the rise of price which thus takes place, is beneficial, as it checks consumption, and thus mitigates the severity of expected scarcity, by distributing its pressure over a wider extent. The fact is, indeed, generally acknowledged, but a difference of opinion prevails as to the degree in which the price is affected, and as to the causes which operate in producing that effect.——The increase of price occasioned by an apprehension of scarcity, must evidently be proportioned to the degree of alarm which prevails. If it is generally believed that there will be a scanty crop, and that the value of corn will be increased 20 per cent. in three months, a very great demand will instantly take place, and will continue till the expectation of high profits from the probability of an advanced price, be counterbalanced by the rise which actually takes place. The equilibrium between the demand and the supply cannot be restored, until the increase of price leaves to the corn-merchants no more than a fair compensation for the disadvantages, whatever they may be, of keeping their stock on hand for three months longer. If the price was so low as left them more than an adequate compensation, there would be more buyers than sellers; the former proportions would not be restored between the demand and the supply, and the price would continue to rise, till it attained that point, at which, as long as circumstances remained the same, it would continue stationary. It is for the advantage of the consumers that corn should attain this its just value; for, if the fears of scarcity be well founded, and if a corresponding rise of price do not take place, the people will suffer, instead of a comparatively slight inconvenience, all the unmitigated distress of an unforeseen calamity. This evil, however, never can happen from any want of capital; a particular corn-merchant, may, indeed, be forced to sell his stock for want of capital, but a variety of purchasers will immediately appear, by whose competition whatever is disposed of will sell for its full value. There never can exist in any trade either a permanent superfluity or deficiency of capital; both these evils necessarily tend to their own cure. In the one case, profits are sunk below their ordinary level, and the superfluous capital seeks more profitable employment; in the other, they are raised above it, and capital is soon attracted from other branches of industry, which quickly reduces profits. It is curious to observe with what exactness the various relations of society are adapted to each other; what perfect harmony subsists in that apparent complexity of parts which the machine exhibits to a superficial observer. This arises out of the nature of things. For if the system of civilised society, did not possess, by the very fundamental laws of its constitution, a power to rectify temporary derangement, and, indeed, an internal energy sufficient to preserve a just equilibrium between its parts, it would want the means of its own conservation.—If corn can never be degraded below its just value for want of capital, upon the same principles it is demonstrable, that no command of active capital can ever in any circumstances effect the slightest variation in its value. As the idea of any combination is too absurd to deserve serious refutation, the corn dealers must act from circumstances which are totally beyond their control. There must be some general cause to give the same direction to their operations. Scarcity or the apprehension of scarcity is fully adequate to produce this effect. In the case which I have supposed, it is generally believed, that the value of corn will be increased 20 per cent. in three months. From the increased demand which the apprehensions of this rise will produce, the value of corn must continue to increase, till the actual price be generally deemed, on a full consideration of the circumstances of the case to be a fair equivalent for the expected advance. If it be thought more than a fair equivalent, those who have that view of things will eagerly avail themselves of this opportunity to sell; and if this be the general opinion, there will be a general inclination to sell rather than to buy; the price must therefore fall, whatever be the quantity of capital in the hands of the corn-merchants; if the actual price be thought less than a fair equivalent for the expected advance, in the same manner there

will be a general inclination to buy rather than to sell, and the price must rise. When it is generally thought that the actual price is neither more nor less than a fair equivalent for the expected advance, the natural equilibrium will be established between the supply and the demand; they will be exactly suited to each other, and here the price, while circumstances remain the same, will continue stationary; to this point, it is evident, it must constantly gravitate by the operation of fixed laws. It does not appear that capital has the slightest influence in occasioning these fluctuations. The price is fixed by the general opinion, and capital is necessary to give practical effect to that opinion. There must, by the very constitution of society, be always a sufficient quantity of capital to raise corn to that price at which it is estimated by those best qualified to appreciate its just value, and it never can be raised higher? It is not easy to understand upon what principle this sort of influence is ascribed to capital. If when an alarm of scarcity prevails, the value of corn must increase, till the actual price is generally believed to be equivalent to the chance of high profits from the expected advance, how can the influence of capital raise it higher. The generality of corn-merchants thinking that the actual price of corn is as high as to offer a fair compensation for the chance of high profits from the expected rise, although they had the most extensive command of capital, could have no farther inducement to withhold corn from the market. Whatever quantity they may have had on hand during the rise, will yield them a great profit; but the profit on all future transactions must be according to the ordinary rate. Those who refuse to sell must certainly be impressed with the belief that the price will speedily be higher. If this be the general belief, although it may ultimately prove groundless, it must be founded on a consideration of the circumstances of the case by those best qualified to form a correct judgment. Capital never can be wanting to raise corn to the valuation at which it is rated by the general opinion of the dealers, and were it possible to suppose that it could rise higher by the influence of partial causes, it would be instantly brought down by the great supply which would pour into the market from all quarters. In the case which I have supposed it is thought that corn will increase one-fifth; now if it be the general opinion, that the actual increase of price offers a fair compensation for the expected advance, there never can be a general disposition to employ capital in with-holding. No corn merchant can suppose for one moment, that by withholding his own stock from the market, he can raise the price. He must look to the operation of a more general cause. But after he thinks that this cause has already completed its effect, what further inducement can he have to keep up his stock; unless he either thought that his own solitary efforts could raise the price, or that other corn merchants would follow his example. As the dealers in grain are not combined, each must pursue that plan which he thinks most conducive to his own particular interests. After he thinks that corn has risen to its just value, whatever be his command of capital, it never can be his interest not to sell. By not selling he keeps his capital idle, without any apparent means of remuneration. What is true of one corn merchant is true of the whole body. When corn has attained what they consider its just value, it never can be their interest to keep it, unless they were to act in combination. After they think that the alarm of scarcity has completed its operation, their profit must be made by selling not by keeping; and the most extensive command of active capital could never induce them to keep up corn longer from the expectation of extraordinary profits. Indeed there is no principle in political economy more firmly established than this, that if too great a quantity of capital be attracted to any employment, profits will quickly be reduced; if there were too great a quantity of capital in the hands of the corn merchants, the market would be supplied too liberally, and the price would consequently be reduced below its natural level.——As an unfounded alarm of scarcity must raise the price, an unfounded belief of plenty must lower it. Accordingly, before the harvest of 1800, on the prospect of plenty, the price of wheat fell as low as 58s., and very fine wheat, which had been as high as 150s. fell to 85s., which was afterwards found to be too low a price. There appeared to be a very general mistake as to the produce of the crop, for after the harvest was got in, and the demand fairly brought to bear upon it, the mistake was quickly corrected, and superfine wheat rose as high in January as from 140 to 158s. Were I pretending to exhibit a complete view of the subject, I would take notice of the fluctuations which generally happen in a year of scarcity particularly, previous to the harvest; but as it is not absolutely necessary for my present purpose, I shall only observe, that all these variations of price are plainly deducible from the operation of obvious causes, and

do not seem to be in the slightest degree connected with paper currency.——Having thus stated to you the grounds of my dissent from the fundamental position on which your theory rests, little more remains for me to do. You think that the prospect of scarcity would cause corn to be kept back from the market; even though there were neither discounting nor paper currency; but that the degree which would bear a proportion to the real capital of the possessors of the article, would never be so great as to amount to an evil. I have already endeavoured to shew that there must always be a sufficient quantity of capital to raise corn to that value at which it is rated by those best qualified to form a correct judgment, and that no addition of capital can raise it higher. The capital employed in any sort of trade must always adapt itself to the functions which it is destined to perform. The determination of a superfluous quantity to any employment, is the very mode prescribed by the nature of things for reducing profits, and of benefiting instead of distressing consumers. The undue reduction of price which took place before the harvest of 1800, will not, I suppose, be attributed by you to the operations of our paper system. Yet the variation in the price at that time was far greater than those variations of price which you partly attribute to paper currency, and it was undoubtedly occasioned solely by the unfounded belief of approaching plenty; for when that opinion was corrected, the price immediately rose higher than even it had done before, notwithstanding a continual supply from importation. Now I cannot help thinking, that if an unfounded belief of plenty occasions a very great fall of price, an unfound ed belief of scarcity may occasion a very great rise without the intervention of any other cause. If a law were passed granting a premium of a guinea for each bushel of corn exported after next Christmas, you ask me if I will deny that such a law would induce all the corn dealers to raise the corn in hand from one and the the same motive? An answer will be found to this quere in the case of an expected rise with which I have endeavoured to illustrate my view of the subject. If such a law were passed, there could be no want of capital to raise corn to its full value, and no capital could raise it higher. But here I must observe, that corn dealers all act as unconnected individuals; it is the expectation of the bounty solely, which raises the price, and not the influence of active capital. You say that the present rise of price is not to be accounted for upon my principles, and you ask what cause has produced such a sudden augmentation of the demand above the supply? The cause obviously is a general belief that the price will be higher, which must occasion a continually increasing demand, till that demand is checked by a proportional rise of price. It is not a paper currency which affords the means of acting upon the mind; there must always exist a sufficient quantity of capital to give practical effect to the general belief, and no superfluous capital can be employed. As to a depreciation of money, I am totally at a loss to understand how that circumstance can raise the real value of provisions; it appears to me, that it may with equal propriety be asserted, that physical magnitude may be enlarged or diminished by a variation of the measurement in which its dimensions are ascertained. The price of labour must depend upon the average value of corn for a number of years; it never can be adjusted to all the transitory fluctuations in the price of provisions. A depreciation of the currency must affect equally both the nominal value of corn and labour. In whatever degree the present rise of provisions is owing to a depreciation of money, in the same degree the price of labour must rise. If it has not risen, and if the demand has continued the same, an unanswerable argument arises out of this fact against any depreciation. But allowing that the currency is depreciated, how can the real value of corn be affected by that circumstance? As money is the only practical measure of value, corn is more frequently compared with it than with any other commodity. But the real value of corn has surely nothing to do with the variations of the measure by which that value is ascertained.——I have now submitted to you the grounds on which my opinions are founded, and if they are erroneous, you will have an opportunity of refuting them. In the mean time I cannot help thinking, that the influence of paper currency on the price of provisions, which never can act but in conjunction with another very powerful cause, is an illusion very similar to those legendary tales concerning forestallers, regraters, and engrossers, which were propagated and believed during the monkish age of political economy.——*Montrose, 21st Nov.* 1804.—D. B.

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